



Federal Communications Commission

Section 504

Programs & Activities

Accessibility

Handbook

2nd Edition

Federal Communications Commission · Consumer & Governmental Affairs Bureau
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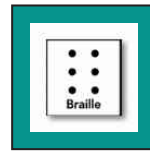


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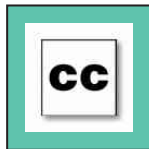
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The Rehabilitation Act of 1973, (Pub.L. 93-112, 87 Stat. 394, 29 U.S.C. 794, as amended by the Rehabilitation Act Amendments of 1974, Pub.L. 93-516, 88 Stat. 1617, and the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978, Pub.L. 95-602, 92 Stat. 2955, and the Rehabilitation Act Amendments of 1986, sec. 103(d), Pub.L. 99-506, 100 Stat. 1810) creates specific causes of action for persons who are aggrieved by discriminatory treatment as defined in the Act. This Handbook is intended to guide implementation of the Federal Communications Commission's responsibilities under Section 504 of the Rehabilitation Act. It is for internal staff use and public information only, and is not intended to create any rights, responsibilities, or independent cause of action against the Federal Government.





I. INTRODUCTION





1. SECTION 504 HANDBOOK

The 2nd edition of the *Federal Communications Commission Section 504 Programs & Activities Accessibility Handbook (Section 504 Handbook)* is a collection of guidelines, information, and procedures to ensure that the FCC is accessible to individuals with disabilities. The content of this *Handbook* is intended to assist Commission personnel in their efforts to provide access to the FCC's programs and activities.

It would be impossible to list all the aspects of the Commission's work that may require reasonable accommodation for individuals with disabilities, but the following sections can provide general guidance and reminders to assist Commission staff. FCC employees should remain aware of the Commission's commitment to accessibility and can foster an attitude of inclusion in all FCC activities.





2. BASIC PRINCIPLES OF ACCESS

The starting point for providing access is simple courtesy and common sense. If an overarching goal of the Commission is to ensure that all interested individuals with disabilities have access to the Commission's programs and activities, then the means for providing access is only a matter of mechanics – matching the solution to the need. It is when people with disabilities are overlooked as potential or actual consumers that barriers are raised. And, ironically, it is these, often unconscious, barriers that can be the hardest to overcome. Remembering the following principles when planning and implementing Commission activities and programs can help keep access in our consciousness:

- The Commission, its programs, and its activities **MUST** be accessible. This is mandated by statute and by FCC rules.¹
- When meetings or events are scheduled, the event planner, or person calling the meeting, is responsible for assuring accessibility. The Commission's Section 504 Officer² is available for consultation and can assist in determining accessibility needs.
- Individuals attending events or meetings who need reasonable accommodations must inform the meeting/event planner of their needs. However, it is the meeting/event planner's obligation to announce events with sufficient lead time to give attendees an opportunity to ask for such accommodations.
- Individuals with disabilities are the best sources of information regarding the accommodations they will need. If you are unsure of what to do, ask the person with a disability about his or her preferences.

¹ Rehabilitation Act as amended, section 501, 29 U.S.C. § 791; section 503, 29 U.S.C. § 793; section 504, 29 U.S.C. § 794; section 508, 29 U.S.C. § 794d. Enforcement of Non-discrimination on the Basis of Handicap in Programs or Activities Conducted by the Federal Communications Commission, 42 U.S.C. §12101 *et seq.*

² For specific contact names, phone numbers, and e-mail addresses, see page 48 of this *Handbook*.





3. Section 504 of the Rehabilitation Act³

Section 504 of the Rehabilitation Act of 1973 as amended is the legislation that prohibits federal agencies, and other programs and activities receiving federal financial assistance, from discriminating against individuals with disabilities.⁴

The Rehabilitation Act is sometimes confused with the Americans with Disabilities Act (ADA)⁵ which was passed in 1990. While there are many parallels between the Rehabilitation Act and the ADA, there are some fundamental differences. Both laws are designed to prohibit discrimination against individuals with disabilities. Both share many of the same definitions and provisions. However, the Rehabilitation Act affects federal agencies and entities receiving federal funding, while the ADA applies to state and local governments, public accommodations, commercial facilities, transportation, telecommunications, and the U.S. Congress.^{6, 7}

³ The FCC Order implementing Section 504 can be found in the Appendix of this document. It includes definitions of terms and rules governing access to the Commission's programs and activities.

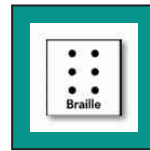
⁴ 29 U.S.C. § 794.

⁵ 42 U.S.C. § 12101 *et seq.*

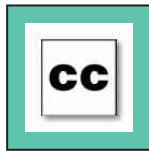
⁶ U.S. Department of Justice, Civil Rights Division, Disability Rights Section, "A Guide to Disability Rights Laws," <http://www.usdoj.gov/crt/ada/cguide.htm> (visited 3/4/08).

⁷ For more information, see "Disability Rights Laws" beginning on page 66 of this *Handbook*.





II. ACCESSIBILITY AND THE FCC





1. TYPES OF ACCESS REQUESTED

For purposes of the *Section 504 Handbook*, accessibility refers to the ability of people with disabilities to “participate in, and enjoy the benefits of, programs or activities conducted by the Commission.”⁸ For general information on disabilities and access, contact the Commission’s Section 504 Officer.⁹

The accessibility requests we receive, from both the public and FCC staff, tend to fall into the following categories:

Access for people with mobility impairments

Since the Portals II building is accessible, people with mobility impairments are generally able to move throughout the building as they wish. When planning meetings, however, if you are expecting participants who use wheelchairs, scooters, canes, crutches, or other mobility aids, make sure that the aisles between chairs and/or tables are wide enough to allow comfortable passage.

If your meeting is to take place at a table, make sure that there is room for a wheelchair or scooter to pull up. This can be easily accomplished by removing one or two chairs and leaving the space open.

Access for people who are blind or have low vision

People who are blind or have low vision may request a variety of accommodations. The type of accommodation requested depends upon the nature of the material requested, the type and severity of the visual impairment, and personal preferences.

The Commission is able to supply text documents in large print,¹⁰ electronic formats,¹¹ Braille,¹² and some audio formats.¹³

⁸ 47 C.F.R. § 1.1803.

⁹ For specific contact names, phone numbers, and e-mail addresses, see page 48 of this *Handbook*.

¹⁰ For more information on large print, see page 15 of this *Handbook*.

¹¹ The Commission can provide documents in ASCII or MSWord format.

¹² For more information on Braille, see page 68 of this *Handbook*.

¹³ The Commission can provide documents in MP3 format supplied via CD, cassette tape, or electronic file.





ACCESSIBILITY DEFINED – Types of Access Requested – Access for people who are deaf or hard of hearing (continued)

Access for people who are deaf or hard of hearing

Generally, people who are deaf or hard of hearing request assistive listening devices,¹⁴ captioning,¹⁵ CART¹⁶ (Communication Access Realtime Translation – similar to captioning but confined to a laptop or projection screen), or sign language interpreters.¹⁷

The Commission is equipped with fixed FM assistive listening systems in the Commission Meeting Room and in Conference Room 1 on the 8th floor. In addition, there are 2 portable FM systems that can be used throughout the building and at remote locations. The systems are outfitted with microphones, earphones, and neckloops.¹⁸

Captioning, CART, and sign language interpreters are services that are frequently contracted from outside vendors. In the DC area, such services are widely used with demand often out-stripping supply. As much advance notice as possible is needed to assure that appropriate services can be acquired. The Commission also has sign language interpreters on staff who assist in making Commission events accessible.

People who are deaf or hard of hearing may use other accommodations such as oral interpreters/transliterators,¹⁹ cued speech transliterators,²⁰ tactile interpreters,²¹ and notetakers,²² but these services are rarely requested at the Commission.

¹⁴ Assistive Listening Devices (ALDs) include various technologies such as infrared systems and loop systems. For more information on ALDs, see the American Speech-Language-Hearing Association website: http://www.asha.org/public/hearing/treatment/assist_tech.htm (visited 7/9/08).

¹⁵ For more information on captioning, see page 68 of this *Handbook*.

¹⁶ For more information on CART (Communication Access Realtime Translation), see page 67 of this *Handbook*.

¹⁷ For more information on sign language interpreters, see page 63 of this *Handbook*.

¹⁸ The microphones used with the portable systems transmit only to the assistive listening devices; they will not provide amplification to the room. For more information on ALDs, see the American Speech-Language-Hearing Association website: http://www.asha.org/public/hearing/treatment/assist_tech.htm (visited 7/9/08)

¹⁹ Some people who are deaf or hard of hearing do not use sign language. They understand speech by watching a person's face, body language, and lips. Oral interpreters, also called transliterators, are skilled in techniques of mouthing words clearly and effectively. For more information on oral interpreting/transliterating, see the Registry of Interpreters for the Deaf

Footnotes continued on the following page.





ACCESSIBILITY DEFINED – Types of Access Requested (continued)

Access for people with speech disabilities

Speech disabilities can be genetically linked or can result from accident, injury, or illness. The severity and type of speech disability can vary dramatically as can the communication modes individuals choose to use. Some people with speech disabilities choose to speak for themselves while others opt for using a re-voicer,²³ communication board,²⁴ artificial larynx,²⁵ speech output device,²⁶ or other assistive technology to help them be understood.

Regardless of the severity of disability or the method of communication, patience and careful listening are of paramount importance. When talking with people who

http://www.rid.org/UserFiles/File/pdfs/Standard_Practice_Papers/Drafts_June_2006/Oral_Transliteration_SPP.pdf (visited 3/4/08).

²⁰ Cued Speech is a phonetically based visual communication system. It is not a form of sign language. In English, Cued Speech transliterators employ 8 handshapes in 4 different locations near the mouth to represent sounds used in spoken language. It is generally used as an adjunct to speechreading. For more information, see the National Cued Speech Association website at <http://www.cuedspeech.org/> (visited 3/4/08).

²¹ People who are deaf-blind generally receive information tactilely, i.e., through touch. Tactile interpreters convey information using various methods, but always in a way that relies on touch. Methods employed by tactile interpreters include using sign language (with the person who is deaf-blind resting one or both hands on the interpreters hands or wrists), using fingers to trace the letters of words in the palm of the person who is deaf-blind, and using the manual alphabet to spell words into the hand of the person who is deaf-blind. For more information on deaf-blindness, see DB-LINK, The National Consortium on Deaf-Blindness website, at <http://www.dblink.org/> (visited 3/4/08).

²² Notetakers are people who take notes for individuals who are deaf or hard of hearing. Notetakers may be needed because people with significant hearing loss must look at speakers or interpreters to understand what is being said. As a result, each time they look down to record a comment, they miss information being presented.

²³ A re-voicer is a person who listens to what an individual with a speech disability says, and then repeats the information in clear speech.

²⁴ A communication board can be either manual or electronic. It displays letters, pictures, and/or words. Individuals communicate by pointing to the images or words.

²⁵ An artificial larynx is an electronic device designed to allow an individual without a larynx to speak intelligibly.

²⁶ Speech output devices produce computer generated speech and vary in appearance and design. They are essentially computers with speakers that include a means, such as a keyboard or touch screen/pad, for selecting the words or phrases the user would like the computer to vocalize. These devices are frequently grouped under the term, augmentative and alternative communication (AAC). For more information on AAC, see the AAC Institute website at <http://www.aacinstitute.org/> (visited 3/4/08).





ACCESSIBILITY DEFINED – Types of Access Requested – *Access for people with speech disabilities (continued)*

have speech disabilities, do not pretend to understand what they are saying. Allow individuals to complete their thoughts; do not attempt to end sentences for them. If you do not understand what has been said, admit it and ask for a repetition. If you are unsure, but think you understand part of what has been said, repeat what you thought you heard and ask for confirmation.

Access for people with other disabilities

Most of the disabilities encountered at the FCC fall into the four categories discussed above. However people may have other disabilities or combinations of disabilities. When encountering people with any type of disability, but particularly when it is a form of disability new to you, remember to focus on the **person** first, not his or her disability. Use courtesy and common sense and ask the person with a disability for his or her advice on how to proceed.





2. CONSIDERATIONS FOR PHYSICAL ACCESS

Buildings / Rooms / Hallways

In most cases, federal buildings adhere to the UFAS (Uniform Federal Accessibility Standards) guidelines established by the Architectural and Transportation Barriers Compliance Board (Access Board).²⁷ The UFAS “sets standards for facility accessibility by physically handicapped persons for Federal and federally-funded facilities. These standards are to be applied during the design, construction, and alteration of buildings and facilities to the extent required by the Architectural Barriers Act of 1968, as amended.”²⁸

Beyond the structural design elements of access, there are practical, everyday decisions that Commission staff can make to ensure optimal physical access to FCC programs and activities. Among the considerations that should be kept in mind are the following:

- Keep aisles and doorways clear. Do not block pathways with boxes, furniture or other obstacles.
- When arranging meeting rooms or seating areas, be sure to allow aisles between tables and/or chairs that are wide enough to permit easy passage for wheelchairs, scooters, and people using other mobility aids.
- When placing chairs in pre-arranged seating arrangements, include gaps in the seating plan to allow space for people who use wheelchairs or scooters.
- If accommodations that require user activation are installed in the building -- for example, chair lifts that require keys to operate them -- make sure that the key or other means of activation is easily available for users with disabilities. It does little good to have a lift installed if the key that is required to operate it is in an office on the other side of the lift! Keep in mind that lifts and other similar aids must be easily accessible in both directions, i.e., “coming” and “going.”
- Do not assume that all people with similar disabilities will want identical accommodations. If you are unsure of what to do, ask the person with a disability for guidance.

²⁷ The Access Board, Accessibility Guidelines and Standards, *Uniform Federal Accessibility Standard (UFAS)*, <http://www.access-board.gov/ufas/ufas-html/ufas.htm> (visited 3/4/08).

²⁸ *Id.*, Section 1 “Purpose.”





3. CONSIDERATIONS FOR INFORMATION ACCESS

Forms / Public information / Complaints / Media, etc.

When developing forms, publications, press releases, solicitations for consumer input, or other information gathering or disseminating tools and processes, be sure to consider the accessibility of both the content and the medium you elect to use.

- Choose a font style and size that is easy to read.

There are no hard and fast rules guiding the selection of font styles and sizes. In fact, publication manuals and guidelines vary dramatically in their rules and preferences. There is, however, some general agreement on the following principles:

- For electronic displays, sans serif fonts are easier to read. Sans serif fonts lack the little “feet” attached to each letter; Arial is an example of a sans serif font.²⁹
- For large print materials the size of type required will vary with the needs of the reader and with the font used.

For generically produced large print items, use a sans serif font with a minimum font size of 16 to 18 points.³⁰

- Avoid using all uppercase letters for large blocks of text. Mixed case letters are easier to read.³¹
- Use high contrast colors when possible. It may be difficult for people with low vision to see information that is presented in colors that do not contrast strongly.³²

²⁹ Adobe Developer Connection. LiveCycle Developer Center. “Creating Graphically Effective Form Design – Part 2: Typography: Basic Font Types.” http://www.adobe.com/devnet/lifecycle/articles/graph_effective_form_design_pt2_02.html (visited 3/17/08).

³⁰ Lighthouse International, Vision Resources, Low Vision, “Making Text Visible: Designing for People with Partial Sight.” http://www.lighthouse.org/print_leg.htm (visited 3/8/08).

³¹ Adobe Developer Connection. LiveCycle Developer Center. “Creating Graphically Effective Form Design – Part 1: Introduction to Concepts: Designing With Fonts,” http://www.adobe.com/devnet/lifecycle/articles/graph_effective_form_design_02.html (visited 3/17/08).





CONSIDERATIONS FOR INFORMATION ACCESS (continued)

- Remember that approximately 7% of all males have some form of red-green colorblindness; this condition only affects .4% of women. For many people with this disorder, red and green look essentially alike.³³ Keep this in mind when designing color documents.³⁴
- Remember to include an accessibility statement in any documents you disseminate. For further guidance, see the “Disseminating News Releases, Public Notices, Texts, and Other Documents” section of this *Handbook* beginning on page 35.
- Individuals with disabilities may request that FCC documents not currently in accessible format be converted to a format that is accessible. Requests may come from general consumers with disabilities or FCC staff with disabilities. Examples of items that might be requested include: Consumer Fact Sheets, Public Notices, Orders, Press Releases, Reports, etc.

If a person with a disability contacts you asking for assistance with Commission information or resources, help them to the best of your ability. If you find that you are unable to satisfy their need, and the request is **not related to web access**, contact the Commission’s Section 504 Officer³⁵ or the Consumer & Governmental Affairs Bureau at fcc504@fcc.gov, 202-418-0530 (voice), or 202-418-0432 (tty).

For further guidance on **web accessibility** and information disseminated via the **internet**, contact the Commission’s Section 508 Coordinator.³⁶

³² Lighthouse International, Vision Resources, Low Vision, “Making Text Visible: Designing for People with Partial Sight.” http://www.lighthouse.org/print_leg.htm (visited 3/4/08).

³³ *Seeing, Hearing and Smelling the World: A Report from the Howard Hughes Medical Institute*, “Breaking the Code of Color: Color Blindness: More Prevalent Among Males,” <http://www.hhmi.org/senses/b130.html> (visited 3/4/08).

³⁴ Lighthouse International, Vision Resources, Low Vision, “Effective Color Contrast: Designing for People with Partial Sight and Color Deficiencies,” http://www.lighthouse.org/color_contrast.htm (visited 3/4/08).

³⁵ For specific contact names, phone numbers, and e-mail addresses, see page 48 of this *Handbook*.

³⁶ *Id.*





4. CONSIDERATIONS FOR STAFF ACTIVITIES

Office parties / Holiday celebrations / Federally recognized employee organizations³⁷ / etc.

Remember that people with disabilities are also members of the FCC staff.³⁸ All programs or activities should be planned with an eye to ensuring access for anyone who would like to attend.

- When disseminating FCC generated notices, distributing flyers, or making posters, be sure to include an accessibility statement. Remember that the “host” of the event assumes responsibility for coordinating accommodations for people with disabilities. For further guidance, see the “Meetings, Documents, Training” section of this Handbook on pages 24-43.
- When broadcast messages are sent via the voice mail system, make sure the information is shared with staff members who are deaf or hard of hearing.

³⁷ Federally recognized employee organizations include groups such as BIG (Blacks in Government) and FAPAC (Federal Asian Pacific American Council).

³⁸ Access for federal employees with disabilities is addressed in Section 501 of the Rehabilitation Act, 29 U.S.C. § 791, and implementing regulation, 29 C.F.R. §1614.203. The Commission’s Office of Workplace Diversity has responsibility for Section 501 issues.





5. CONSIDERATIONS FOR SAFETY

Building Evacuation

- Remember that people who are deaf or hard of hearing may not be able to hear broadcasts over the public address system or verbal instructions from building monitors or security officers. Rumors or instructions passed by word of mouth are also likely to be missed by a person who is deaf or hard of hearing. If you know of someone in your area who is deaf or hard of hearing, make sure that you pass along information about emergency situations.
- Remember that people who are blind cannot see you. Before attempting to help people who are blind, introduce yourself and ask them if they would like assistance. If they accept your offer of help, allow them to take your arm; do not push or drag them along with you. If you are uncertain about what to do, ask the person how they would like to proceed.
- People who have low vision have varying levels of sight -- some may be able to discern shapes, others may only be able to identify areas that are light or dark, still others may have tunnel vision, or may be able to see only in areas with bright lighting. Before helping someone who appears to have vision problems, ask if they would like help. If they accept your offer of assistance, ask the person how they would like to proceed.
- There are established procedures for evacuating people who have significant mobility impairments. Evacuation chairs and trained personnel are strategically located throughout the building. During an emergency, contact one of the safety monitors stationed in the elevator lobbies if such services are needed. Consult the *Emergency Procedures* document on the FCC intranet (<http://intranet.fcc.gov/omd/ao/safety/>) for more detailed instructions.

Security Issues

- When giving directions in emergency or high stress situations, do not assume that people who are non-responsive are being uncooperative.
 - People who are deaf or hard of hearing may be unable to hear spoken instructions. Even people who have substantial residual hearing may have difficulty hearing instructions coming from behind them or orders given in areas with background noise such as fire alarms or the chatter from crowds of people.
 - People who are blind or have low vision may not see gestures or other visual cues indicating where they should go or what they should do.





CONSIDERATIONS FOR SAFETY-- Security issues (continued)

- When going through standard security screening procedures in the Portals II building, it is helpful to inform people who are blind of the process they are about to experience. Give verbal cues as to where to place items for inspection and how to pass through the metal detectors.
- Remember that some people with disabilities have assistive devices that are not easily removed. Some devices, such as cochlear implants to improve hearing or metal rods to strengthen bones, are surgically implanted and cannot be taken off or detached. Be aware that such devices may set off metal detectors and be prepared to use courtesy and good judgment in dealing with such situations.





6. CONSIDERATIONS FOR CONTRACTING AND ACQUISITIONS

Contracting / Acquisitions / Services / Equipment, etc.

All of the Commission's programs and activities must be accessible to people with disabilities. This includes programs and activities offered by the Commission through contracts or other arrangements.³⁹ Agreements between the Commission and other entities for the provision of programs or activities should be carefully written to ensure that access for people with disabilities is explicitly required in the statement of work.

³⁹ 47 C.F.R. § 1.1830(b)(3)-(6).





7. ACCESSIBILITY STATEMENTS

Model accessibility statements are provided below. They may be revised to match the specific circumstances of an event or document. Please contact the Commission's Section 504 Officer⁴⁰ for further assistance in determining your accommodation needs.

FOR MEETINGS IN GENERAL

Reasonable Accommodations

Reasonable accommodations for people with disabilities are available upon request. Include a description of the accommodation you will need and tell us how to contact you if we need more information. Make your request as early as possible. Last minute requests will be accepted, but may be impossible to fill. Send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

FOR MEETINGS THAT WILL BE CAPTIONED

Reasonable Accommodations

Open captioning will be provided for this event. Other reasonable accommodations for people with disabilities are available upon request. Include a description of the accommodation you will need and tell us how to contact you if we need more information. Make your request as early as possible. Last minute requests will be accepted, but may be impossible to fill. Send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

FOR MEETINGS WHERE FULL ACCOMMODATIONS ARE BEING PROVIDED

Reasonable Accommodations

The meeting site is fully accessible to people using wheelchairs or other mobility aids. Sign language interpreters, open captioning, and assistive listening devices will be provided on site. Other reasonable accommodations for people with disabilities are available upon request. Include a description of the accommodation you will need and tell us how to contact you if we need more information. Make your request as early as possible. Last minute requests will be accepted, but may be impossible to fill. Send an e-mail to: fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

[If the meeting will be webcast with open captioning, add the following:

The meeting will be webcast with open captioning.]

⁴⁰ For specific contact names, phone numbers, and e-mail addresses, see page 48 of this *Handbook*.



**ACCESSIBILITY STATEMENTS (continued)****FOR DOCUMENTS****Accessible Formats**

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

OR

Add an accessibility statement in the footer. An example of an accessibility footer added to a Public Notice can be found on the Office of the Secretary's intranet webpage at: <http://intranet.fcc.gov/docs/omd/osec/apg/public-notice.pdf>.

FCC PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <http://www.fcc.gov>
TTY: 1-800-435-0322

Report No. [Insert report number]

Format: Times New Roman, 11 point
Margins: Left, right and bottom = 1 inch, top = 1 1/8 inch
Justification: Left justification (including appendices)
Spacing: Single spaced
Paragraphs: One blank space between paragraphs and headings
Page Numbering: Bottom Center (starting at Page 2 (including appendices))

Title: [Insert FCC or DA number]
[Insert release date]

[INSERT TITLE]
[Insert Docket, RM, and/or File No.]

[INSERT IND TITLE]
[Insert release date]

Comment Date: [Insert Date or 60 days after publication in the Federal Register]
Reply Comment Date: [Insert Date or 90 days after publication in the Federal Register]

[SELECT "HEADING 1" ON TOOL BAR TO GET THIS SECTION HEADING]
[Select "Paragraph" on tool bar to number paragraphs (optional)]¹
[SELECT "HEADING 1" ON TOOL BAR TO GET THIS SECTION HEADING]

[SELECT "HEADING 2" ON TOOL BAR TO GET THIS SECTION HEADING]
[Select "Heading 3" on tool bar to get this section heading]
[Select "Heading 4" on tool bar to get this section heading]

End of document.
Bold, Centered.

Footnote: Times New Roman 10 point. Left justification.

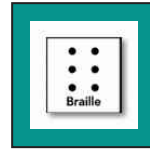
Contact the FCC to Request Reasonable Accommodations for People with Disabilities
(Accessible format documents, sign language interpreters, CART, etc.)
E-mail: FCC504@fcc.gov • Phone: 202-418-0530 • TTY: 202-418-0432

A blank FCC Public Notice template can be found in MSWord 2003 under: File, New, Templates, On my computer, OS Process tab.



Contact the FCC to Request Reasonable Accommodations for People with Disabilities
(Accessible format documents, sign language interpreters, CART, etc.)
E-mail: FCC504@fcc.gov • Phone: 202-418-0530 • TTY: 202-418-0432



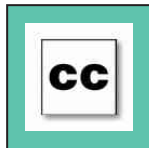


III.

MEETINGS

DOCUMENTS

TRAINING





1. INTERNAL FCC MEETINGS

IF YOUR MEETING IS OPEN TO ALL FCC STAFF...

AND IS SCHEDULED IN THE COMMISSION MEETING ROOM...

- **Be sure that you arrange for captioning.** Meetings intended for all Commission staff, scheduled in the Commission Meeting Room, should be captioned. Contact the Commission Audio Visual Center,⁴¹ Office of Media Relations, to arrange for captioning services. Be sure to allow as much lead time as possible. Captioning services are in high demand and may not be available without sufficient notice.⁴²
- **Include a reasonable accommodations statement** in all announcements and publicity, including all invitations, flyers, posters, e-mails, advertisements, etc.

Model statement:

Reasonable Accommodations

Open captioning will be provided for this event. Other reasonable accommodations for people with disabilities are available upon request. Include a description of the accommodation you will need and tell us how to contact you if we need more information. Make your request as early as possible. Last minute requests will be accepted, but may be impossible to fill. Send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

- **Make sure you release your first public announcement at least one week in advance of your event so that requests for accommodations can be made with sufficient lead time.**
- **Be sure that the accommodations statement ACCURATELY reflects the services being provided for the event.** For example, if captioning services are NOT provided for the event, do not say, "Open captioning will be provided for this event." Choose an alternate, accurate statement from the examples beginning on page 21 of this *Handbook*.

⁴¹ For specific contact names, phone numbers, and e-mail addresses, see page 48 of this *Handbook*.

⁴² If services have already been arranged for a meeting that must be rescheduled, please notify the Audio Visual Center staff as soon as possible. The Commission is obligated to pay in full for services canceled without appropriate advance notice.





INTERNAL FCC MEETINGS (continued)

IF YOUR MEETING IS OPEN TO ALL FCC STAFF...

AND IS SCHEDULED FOR A LOCATION OTHER THAN THE COMMISSION MEETING ROOM

- **Include a reasonable accommodations statement** in all announcements and publicity, including all invitations, flyers, posters, e-mails, advertisements, etc.

Model statement:

Reasonable Accommodations

Reasonable accommodations for people with disabilities are available upon request. Include a description of the accommodation you will need and tell us how to contact you if we need more information. Make your request as early as possible. Last minute requests will be accepted, but may be impossible to fill. Send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

- **Make sure you release your first public announcement at least one week in advance of your event so that requests for accommodations can be made with sufficient lead time.**
- **Be sure that the accommodations statement ACCURATELY reflects the services being provided for the event.** For example, if captioning services ARE provided for the event, choose an alternate statement from the examples beginning on page 21 of this *Handbook* that announces the availability of captioning.





INTERNAL FCC MEETINGS (continued)

IF YOUR MEETING IS FOR A LIMITED FCC AUDIENCE (DIVISION MEETING, INTERNAL TASK FORCE, COMMITTEE, ETC.) ...

AND you know the attendees

Be sure to request accommodations⁴³ (e.g., captioning, accessible formats, sign language interpreters, etc.) you know will be needed as far in advance as possible.

AND you DON'T know the attendees

- **Include a reasonable accommodations statement** in your invitation or announcement.

Reasonable Accommodations

Reasonable accommodations for people with disabilities are available upon request. Include a description of the accommodation you will need and tell us how to contact you if we need more information. Make your request as early as possible. Last minute requests will be accepted, but may be impossible to fill. Send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

- **Make sure you release your first public announcement at least one week in advance of your event so that requests for accommodations can be made with sufficient lead time.**
- **Be sure that the accommodations statement ACCURATELY reflects the services being provided for the event.** For example, if captioning services ARE provided for the event, choose an alternate statement from the examples beginning on page 21 of this *Handbook* that announces the availability of captioning.

⁴³ For specific contact names, phone numbers, and e-mail addresses, see page 48 of this *Handbook*.





INTERNAL FCC MEETINGS (continued)

IF YOUR MEETING REQUIRES PRE-REGISTRATION...

- Be sure your registration form includes an option for requesting accommodations.

Model accommodation request section:

- ☐ I need the following reasonable accommodations
(please be as specific as possible):

- As soon as a request for accommodation is received, forward the request to the Commission's Section 504 Officer.⁴⁴
- Make sure you release your first public announcement at least one week in advance of your event so that requests for accommodations can be made with sufficient lead time.

⁴⁴ For specific contact names, phone numbers, and e-mail addresses, see page 48 of this *Handbook*.





2. MEETINGS WITH NON-FCC ATTENDEES

IF YOUR MEETING IS A COMMISSION OPEN MEETING...

- **Display open captioning on both screens in the Commission Meeting Room, the hallway monitors, the internet webcast, and the Commission's closed circuit television broadcast.**⁴⁵ Contact the Commission's Audio Visual Center,⁴⁶ Office of Media Relations, to arrange for captioning services.
- **Provide Sign language interpreters.**⁴⁷ The interpreters will be expected to interpret for the duration of the proceedings regardless of whether deaf attendees are readily identified. Interpreters are not required to interpret for the Press Conference following the Open Meeting UNLESS they are requested to do so by a deaf consumer or by Commission staff.
- **Note in the Sunshine Notice that the above accommodations** will be provided and indicate how other accommodations can be acquired.

Model notice:

Reasonable Accommodations

The meeting site is fully accessible to people using wheelchairs or other mobility aids. Sign language interpreters, open captioning, and assistive listening devices will be provided on site. Other reasonable accommodations for people with disabilities are available upon request. Include a description of the accommodation you will need and tell us how to contact you if we need more information. Make your request as early as possible. Last minute requests will be accepted, but may be impossible to fill. Send an e-mail to: fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

[If the meeting will be webcast with open captioning, add the following:

The meeting will be webcast with open captioning.]

- **Make sure you release your first public announcement at least one week in advance of your event so that requests for accommodations can be made with sufficient lead time.**

⁴⁵ With advance notice to the Audio Visual Center, FCC staff can request that captioned text of an event be saved in MSWord format for use as reference material. Such text files are generally distributed by the Audio Visual Center staff within 2 business days of the event and are intended for internal use.

⁴⁶ For specific contact names, phone numbers, and e-mail addresses, see page 48 of this *Handbook*.

⁴⁷ *Id.*





MEETINGS WITH NON-FCC ATTENDEES (continued)

IF YOUR MEETING IS A PUBLIC MEETING WITH NO PRE-REGISTRATION REQUIRED...

- **Be sure that you arrange for captioning.** Meetings open to the general public, scheduled in the Commission Meeting Room, should be captioned. Meeting planners should contact the Audio Visual Center,⁴⁸ Office of Media Relations, to arrange for captioning services. Be sure to allow as much lead time as possible. Captioning services are in high demand and may not be available without sufficient notice.⁴⁹
- **Include a reasonable accommodations statement** in all announcements and publicity, including all invitations, flyers, posters, e-mails, advertisements, etc.

Model statement:

Reasonable Accommodations

Open captioning will be provided for this event. Other reasonable accommodations for people with disabilities are available upon request. Include a description of the accommodation you will need and tell us how to contact you if we need more information. Make your request as early as possible. Last minute requests will be accepted, but may be impossible to fill. Send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

- **Make sure you release your first public announcement at least one week in advance of your event so that requests for accommodations can be made with sufficient lead time.**
- **Be sure that the accommodations statement ACCURATELY reflects the services being provided for the event.** For example, if captioning services are NOT provided for the event, do not say, "Open captioning will be provided for this event." Choose an alternate, accurate statement from the examples beginning on page 21 of this *Handbook*.

⁴⁸ For specific contact names, phone numbers, and e-mail addresses, see page 48 of this *Handbook*.

⁴⁹ If services have already been arranged for a meeting that must be rescheduled, please notify the Audio Visual Center staff as soon as possible. The Commission is obligated to pay in full for services canceled without appropriate advance notice.





MEETINGS WITH NON-FCC ATTENDEES (continued)

- **Notify the Security Operations Center⁵⁰ if you expect visitors with disabilities**
Advance notice allows the Operations Center to assign sufficient security staff to screen visitors. It also allows security officers to prepare themselves for alternative communication modes and reminds them to expect visitors with assistive devices that may require special attention when going through metal detectors.

⁵⁰ For specific Security contact names, phone numbers, and e-mail addresses, see page 49 of this *Handbook*.





MEETINGS WITH NON-FCC ATTENDEES (continued)

IF YOUR MEETING IS OPEN TO A LIMITED PUBLIC AUDIENCE...

AND YOU KNOW THE ATTENDEES

- **Be sure to request accommodations⁵¹ (e.g., captioning, accessible formats, sign language interpreters, etc.) you know will be needed as far in advance as possible.**

AND YOU DON'T KNOW THE ATTENDEES

- **Include a reasonable accommodation statement** in your invitation or announcement.

Reasonable Accommodations

Reasonable accommodations for people with disabilities are available upon request. Include a description of the accommodation you will need and tell us how to contact you if we need more information. Make your request as early as possible. Last minute requests will be accepted, but may be impossible to fill. Send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

- **Make sure you release your first public announcement at least one week in advance of your event so that requests for accommodations can be made with sufficient lead time.**
- **Be sure that the accommodations statement ACCURATELY reflects the services being provided for the event.** For example, if captioning services ARE provided for the event, choose an alternate statement from the examples beginning on page 21 of this *Handbook* that announces the availability of captioning.
- **Notify the Security Operations Center⁵² if you expect visitors with disabilities.** Advance notice allows the Operations Center to assign sufficient security staff to screen visitors. It also allows security officers to prepare themselves for alternative communication modes and reminds them to expect visitors with assistive devices that may require special attention when going through metal detectors.

⁵¹ For specific contact names, phone numbers, and e-mail addresses, see page 48 of this *Handbook*.

⁵² For specific Security contact names, phone numbers, and e-mail addresses, see page 49 of this *Handbook*.



**MEETINGS WITH NON-FCC ATTENDEES (continued)****IF YOUR MEETING FOCUSES ON ISSUES YOU EXPECT TO BE OF INTEREST TO PEOPLE WITH DISABILITIES...**

- **Display open captioning on both screens in the Commission Meeting Room, the hallway monitors, the internet webcast, and the Commission's closed circuit television broadcast.**⁵³ Contact the Commission Audio Visual Center,⁵⁴ Office of Media Relations, to arrange for captioning services.
- **Make agendas and handouts provided in print, also available in Braille, large print, and audio.**⁵⁵
- **Arrange for sign language interpreters.**⁵⁶
 - When you are ready to begin the meeting, if you are unsure whether deaf consumers are in attendance, consult with the interpreters. If the interpreters have not been approached by sign language users, announce the availability of interpreters at the beginning of the session (make sure the interpreters interpret the announcement). Sample wording might be:

Sign language interpreters are available for this meeting. If you need their services, please make yourself known to them. [pause for response].

[If no one acknowledges a need for interpreting services, continue by saying:] ***The interpreters will be available at the back of the room*** [or other appropriate location] ***for anyone who needs them.*** [Station the interpreters in the designated area.]
 - Identify the interpreters with a sign reading: Sign Language Interpreters. Position the interpreters in a high visibility area such as a registration desk so that they can be seen by people entering the meeting site.

⁵³ If services have already been arranged for a meeting that must be rescheduled, please notify the Audio Visual Center staff as soon as possible. The Commission is obligated to pay in full for services canceled without appropriate advanced notice.

⁵⁴ For specific contact names, phone numbers, and e-mail addresses, see page 48 of this *Handbook*.

⁵⁵ For more information on media used during presentations, see the section on "Hosting Accessible Meetings and Events -- Audio and Visual Media" beginning on page 39 of this *Handbook*. For specific contact names, phone numbers, and e-mail addresses, see page 48 of this *Handbook*.

⁵⁶ For specific contact names, phone numbers, and e-mail addresses, see page 48 of this *Handbook*.





MEETINGS WITH NON-FCC ATTENDEES -- If Your Meeting Focuses on Issues You Expect to be of Interest to People With Disabilities (continued)

- **The Public Notice should note the accommodations being provided and should indicate how other accommodations can be acquired.**

Model notice:

Reasonable Accommodations

The meeting site is fully accessible to people using wheelchairs or other mobility aids. Sign language interpreters, open captioning, and assistive listening devices will be provided on site. Other reasonable accommodations for people with disabilities are available upon request. Include a description of the accommodation you will need and tell us how to contact you if we need more information. Make your request as early as possible. Last minute requests will be accepted, but may be impossible to fill. Send an e-mail to: fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

[If the meeting will be webcast with open captioning, add the following:
The meeting will be webcast with open captioning.]

- **Make sure you release your first public announcement at least one week in advance of your event so that requests for accommodations can be made with sufficient lead time.**
- **Be sure that the accommodations statement ACCURATELY reflects the services being provided for the event.** For example, if captioning services are NOT provided for the event, do not say, "Open captioning will be provided for this event." Choose an alternate, accurate statement from the examples beginning on page 21 of this *Handbook*.
- **Notify the Security Operations Center⁵⁷ if you expect visitors with disabilities.** Advance notice allows the Operations Center to assign sufficient security staff to screen visitors. It also allows security officers to prepare themselves for alternative communication modes and reminds them to expect visitors with assistive devices that may require special attention when going through metal detectors.

DON'T KNOW IF YOUR ISSUES ARE OF INTEREST TO PEOPLE WITH DISABILITIES?

If you are unsure whether your meeting topic is of interest to the disability community, consult the Chief of the Disability Rights Office or the Commission's Section 504 Officer.⁵⁸

⁵⁷ For specific Security contact names, phone numbers, and e-mail addresses, see page 49 of this *Handbook*.

⁵⁸ For specific contact names, phone numbers, and e-mail addresses, see page 48 of this *Handbook*.





MEETINGS WITH NON-FCC ATTENDEES (continued)

IF YOUR MEETING REQUIRES PRE-REGISTRATION...

- **Be sure your registration form includes an option for requesting accommodations.**

Model accommodation request section:

- ☐ **I need the following reasonable accommodations**
(please be as specific as possible):

- **As soon as a request for accommodation is received, forward the request to the Commission's Section 504 Officer.⁵⁹**
- **Make sure you release your first public announcement at least one week in advance of your event so that requests for accommodations can be made with sufficient lead time.**
- **Notify the Security Operations Center⁶⁰ if you expect visitors with disabilities**
Advance notice allows the Operations Center to assign sufficient security staff to screen visitors. It also allows security officers to prepare themselves for alternative communication modes and reminds them to expect visitors with assistive devices that may require special attention when going through metal detectors.

⁵⁹ For specific contact names, phone numbers, and e-mail addresses, see page 48 of this *Handbook*.

⁶⁰ For specific Security contact names, phone numbers, and e-mail addresses, see page 49 of this *Handbook*.





3. DISSEMINATING NEWS RELEASES, PUBLIC NOTICES, TEXTS, AND OTHER DOCUMENTS

- Include an accessible format statement in your releases.

Model statement:

Accessible Formats

To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

OR

Add an accessibility statement in the footer. An example of an accessibility footer added to a Public Notice can be found on the Office of the Secretary's intranet webpage at: <http://intranet.fcc.gov/docs/omd/osec/apg/public-notice.pdf>.

A blank FCC Public Notice template can be found in MSWord 2003 under: File, New, Templates, On my computer, OS Process tab.



Contact the FCC to Request Reasonable Accommodations for People with Disabilities
(Accessible format documents, sign language interpreters, CART, etc.)
E-mail: FCC504@fcc.gov • Phone: 202-418-0530 • TTY: 202-418-0432

- **Make sure that you indicate the web address consumers can use to get an electronic copy.** Follow the Commission's Section 508 Guidelines to assure appropriate web formats for your information. For more details on Section 508, contact the Commission's Section 508 Coordinator.⁶¹

⁶¹ For specific contact names, phone numbers, and e-mail addresses, see page 48 of this *Handbook*.





4. HOSTING ACCESSIBLE MEETINGS AND EVENTS

Hosting successful meetings or events⁶² requires cooperation between event planners, chairpersons, emcees, moderators, coordinators, and attendees. Be aware that when people with a variety of disabilities are present at an event, it may be necessary to provide information both visually and aurally. For example, graphic displays may need to be described verbally for people who are blind and audio recordings will need to be displayed in text for people who are deaf. The following hosting recommendations can help produce accessible events that comply with Section 504 requirements.

Opening announcements

- **Announce the availability of accommodations that are in place.** Example: “Today, we have [*name the accommodations available, e.g., sign language interpreters,*⁶³ *assistive listening devices (ALDs),*⁶⁴ *CART,*⁶⁵ *captioning,*⁶⁶ *agendas or handouts in accessible formats*] available. If you need assistance in locating where these services are being provided please let us know [*look for anyone raising a hand or looking for assistance*] or see [*identify Commission staff by name and location*] who can direct you.”
- **Provide verbal directions to accessible restroom facilities.** Example: (for meetings in the Commission Meeting Room): “Accessible restrooms are located on this floor. Exit the Commission Meeting Room by the door to my right, at the back of the room (assuming the speaker is standing on the dais). Go straight down the hall for about 40 feet, turn left at the first corridor. The restrooms are located immediately on your left; the Men’s room is first, then the Women’s room.”
- **Provide verbal directions to any other amenities** attendees may need to know about; e.g., area delis/restaurants, payphones, TTYs, videophones,⁶⁷ ATMs.

⁶² In this section, the words, “meeting” and “event” will be used interchangeably to indicate assemblies under the auspices of the FCC.

⁶³ For more information on sign language interpreters, see page 63 of this *Handbook*.

⁶⁴ Assistive Listening Devices (ALDs) include various technologies such as infrared systems and loop systems. For more information on ALDs, see the American Speech-Language-Hearing Association website: http://www.asha.org/public/hearing/treatment/assist_tech.htm (visited 7/9/08).

⁶⁵ Communication Access Realtime Translation (CART) services are provided by individuals who translate speech into text using stenotype machines, computers, and software. The result is much like open captioning with the text shown on a computer monitor or other display device. For more information on CART, see page 67 of this *Handbook*.

⁶⁶ For more information on captioning, see page 68 of this *Handbook*.

⁶⁷ For more information on videophones, see page 52 of this *Handbook*.





HOSTING ACCESSIBLE MEETINGS AND EVENTS – Meeting Moderators: Recognizing individuals who would like to take the floor (continued)

Meeting moderators

- **Introduce all speakers and panelists verbally by name.** An alternative method is to ask the speakers/panelists to take turns introducing themselves.
- **Make it a practice to recognize individuals who would like to take the floor.**
 - This will avoid situations where several people attempt to speak at the same time. This is both good meeting practice and an aid to interpreters, CART writers, and captioners who are only able to render the comments of one speaker at a time.
 - This will identify the speaker for attendees who are blind or have low vision as well as for CART writers, captioners, and sign language interpreters.
 - A variation that is often used, particularly for events with attendees who are blind or have low vision, is to ask speakers to identify themselves each time they make a comment. This also is of benefit to captioners, CART writers, sign language interpreters, and members of the audience using these accommodations.
 - There is always a time lag between the time captioners, interpreters, and CART writers hear a message, translate/transcribe the information, and present it to their consumers. As a result, individuals using these services receive information several seconds later than hearing participants. This frequently puts people who are deaf or hard of hearing at a disadvantage when trying to make a point or respond to a question – i.e., by the time the question or issue is conveyed, others have already begun responding. By controlling access to the floor, the moderator can provide equitable opportunities for comment.
- **Verbally acknowledge any speakers/panelists joining the meeting while in progress, or leaving the meeting before it ends.** For example: “We’ve just been joined by Alex Bell from FCC Corp....glad to have you with us!” [Give Alex a chance to respond briefly. This will orient people who are blind or have low vision to his location and to his voice.] Then return to the discussion at hand.
- **If the public address system is not working properly, interrupt the speaker. Remind them to wait until the microphone is working correctly. Then ask them to repeat their comments using the functioning public address system.** Participants relying on ALDs, sign language interpreters, captioning, and CART may miss information if their communication aids depend on input transmitted through the public address system.





HOSTING ACCESSIBLE MEETINGS AND EVENTS – Meeting Moderators (continued)

- **Remember to be patient. It will take extra time for individuals with speech disabilities or individuals using sign language interpreters, captioning, or CART to fully participate in discussions.**
 - Participants with speech disabilities are likely to need additional time to complete their comments. Listeners may also need extra time to confirm with the speaker that comments are being accurately understood.
 - Users of sign language interpreters, captioning, and CART always experience delays between the time a comment is uttered and the time an interpretation or transcription is completed. The delay can be 1-10 seconds or more. When interpreters are being used, the delay takes place in both directions – i.e., in voice-to-sign and sign-to-voice interactions.
 - To allow more equitable opportunities for comment, wait until all communication modes have reached completion before accepting responses or comments.
- **If the text of handouts or A/V presentations are not available in accessible formats (i.e., Braille, large print, electronic text file, audio recording), announce to the audience how to obtain copies in accessible formats.**

Example: “We regret that we do not have copies of [*document, PowerPoint presentation, agenda, etc.*] available in Braille, large print, electronic text, or audio today. Please contact the Commission’s Consumer & Governmental Affairs Bureau, to obtain a copy in the format you prefer. You can send an e-mail to fcc504@fcc.gov or call 202-418-0530 or 202-418-0432 (tty).”

- **Be aware of any changes to the physical environment.**
 - If at any time before, during, or after the meeting, pathways or aisles become blocked for wheelchair access, move the barrier or designate someone to do so as soon as possible.
 - If the layout of the meeting room is changed during the meeting (tables/chairs are re-configured, additional equipment brought in, etc.), announce the changes to the audience and warn them of any associated hazards such as power cords, cables, protruding elements, etc. This will be a helpful warning for everyone, but will be especially helpful for attendees who are blind or have low vision.
 - Example: “During the break, we will be adding a table to accommodate the equipment needed for the next session. We will now have 2 tables at the front of the room instead of just 1. Please be aware of the power cord running across the aisle. It’s taped to the carpet, but please use caution when walking down the aisle or near the equipment on the tables.”





HOSTING ACCESSIBLE MEETINGS AND EVENTS (continued)

- **Always describe any changes to preprinted agendas, handouts, or other materials.**
- **When an acronym is first used, be sure to pause the discussion momentarily to give the spelling and meaning of the acronym.** Not only will this be helpful to the audience, but will also provide invaluable information to sign language interpreters, captioners, and CART writers. Example: “The next item on the agenda is ‘Nancy.’ That is, the North American Numbering Council, N-A-N-C.”

Audio and visual media

Organizers and planners of Commission meetings must make sure that all attendees, including individuals with disabilities, are not “excluded from participation in,” or “denied the benefits of” meetings and events.⁶⁸ In order to ensure that everyone can participate in and benefit from the meeting or event, it is vital that the organizer know, to the extent possible, what audio/visual presentations⁶⁹ will be used.

Presenters with printed handouts or audio/visual media...

AND people with disabilities are expected

- Inform the presenters of the Commission’s obligation to provide access to people with disabilities. Ask the presenters whether printed handouts or audio/visual elements will be included in their presentations. If such materials will be in use, then...

In advance of the meeting, request a copy of the media that presenters plan to use -- printed handouts, audio/visual elements, etc. If available, an electronic version is preferred.

⁶⁸ 47 C.F.R. § 1.1830(a).

⁶⁹ Audio/visual presentations can include, but are not limited to, the following: video presentations; audio clips; slides; overhead transparencies; PowerPoint or similar electronic presentations; diagrams or writing displayed on a poster, flipchart, whiteboard, or chalkboard.





HOSTING ACCESSIBLE MEETINGS AND EVENTS – Audio and visual media – Presenters with printed handouts...AND people with disabilities expected (continued)

- For conversion of print and other textual media to Braille, large print, electronic text, or audio format, contact the Commission's Section 504 Officer⁷⁰ or the Consumer & Governmental Affairs Bureau at fcc504@fcc.gov, 202-418-0530 (voice), or 202-418-0432 (tty) **at least 4 weeks in advance** of the date needed.
 - When using slides or other graphic displays that do not include textual content (for example pictures, drawings, unlabeled charts, etc.), please provide a description of the key visual elements; include an explanation of any special significance implied by the manner of presentation. For example, if a parody of a company logo is displayed, note that it is a satirical depiction of Company X's logo. Then proceed to describe the image.
 - If possible, submit materials at least 4 weeks prior to the date they are needed so that the conversion to accessible format can be completed by the day of the event.
- For consultation regarding video or other non-text media that is not captioned, contact the Commission's Section 504 Officer⁷¹ or the Consumer & Governmental Affairs Bureau at fcc504@fcc.gov, 202-418-0530 (voice), or 202-418-0432 (tty) to determine the arrangements needed to ensure access. Please allow as much lead time as possible.
- Remind presenters and event moderators that information contained in working documents, flipcharts, posters, and visual aids must be read or described in order for the information to be accessible to the entire audience.
 - If, as a group, you are editing or revising a document, be willing to read the segments being considered as many times as needed. Once completed, be sure to re-read the affected sections, incorporating the final edits, to convey the results of the revisions.
 - If you are exhibiting a diagram or model, be sure to describe the individual parts as well as any interactions or changes that are being shown. If animation or special effects are being used, be sure to describe those as well.

⁷⁰ For specific contact names, phone numbers, and e-mail addresses, see page 48 of this *Handbook*.

⁷¹ *Id.*





HOSTING ACCESSIBLE MEETINGS AND EVENTS – Audio and visual media (continued)

Presenters with printed handouts or audio/visual media...

AND it is unknown if people with disabilities will attend

- Inform the presenters of the Commission's obligation to provide access to people with disabilities. Ask the presenters whether printed handouts or audio/visual elements will be included in their presentations. If such materials will be in use, then....
 - Request that presenters have copies of the media they plan to use readily available in the event that people with disabilities request accommodations. Inform the presenter that if a request for accommodation is received, they will be asked to forward a copy of their presentation materials in electronic format to the Commission immediately so that we may convert them into the accessible format desired.



HOSTING ACCESSIBLE MEETINGS AND EVENTS (continued)

If you are invited to speak at a non-FCC event...

AND have handouts or audio/visual presentations

Check with the event planner to find out whether the sponsoring organization has made arrangements for accessibility for individuals with disabilities.

If the hosts **HAVE MADE ARRANGEMENTS** for accommodations...

- Have copies of handouts and audio/visual media ready for your hosts in advance of the event so they will have time to produce them in accessible format.
- If interpreters are being provided and you would like guidelines on how to work with them, see the section in this *Handbook* on sign language interpreters beginning on page **Error! Bookmark not defined.**

If the hosts **HAVE NOT MADE ARRANGEMENTS** for accommodations or do not know if people with disabilities plan to attend...

- Be prepared to read or describe any document or A/V presentation you will be sharing.
 - If, as a group, you are editing or revising a document, be willing to read the segments being considered as many times as needed. Once completed, be sure to re-read the affected sections, incorporating the final edits, to convey the results of the revisions.
 - If you are exhibiting a diagram or model, be sure to describe the individual parts as well as any interactions or changes that are being shown. If animation or special effects are being used, be sure to describe those as well.
- If you would like to have copies of your materials available in accessible format (Braille, large print, electronic text, or audio formats) to take with you to your presentation, send the document (preferably in electronic format) to the Commission's Section 504 Officer⁷² or the Consumer & Governmental Affairs Bureau at fcc504@fcc.gov, 202-418-0530 (voice), or 202-418-0432 (tty) **at least 4 weeks prior to your departure date.**

⁷² For specific contact names, phone numbers, and e-mail addresses, see page 48 of this *Handbook*.





HOSTING ACCESSIBLE MEETINGS AND EVENTS – IF YOU ARE INVITED TO SPEAK AT A NON-FCC EVENT AND HAVE HANDOUTS OR AUDIO/VISUAL PRESENTATIONS – If the hosts have NOT made arrangements for accommodations (continued)

- When submitting slides or other graphic displays that do not include textual content (for example pictures, drawings, unlabeled charts, etc.) for conversion to accessible format, please provide a description of the key visual elements; include an explanation of any special significance implied by the manner of presentation. For example, if a parody of a company logo is displayed, note that it is a satirical depiction of Company X's logo. Then proceed to describe the image.
- If you do not have accessible copies of your materials with you, state at the beginning of your presentation that your materials can be provided in accessible format upon request. Ask audience members who need such formats to supply you with the following information:
 - Name, address, telephone number, e-mail address
 - Specific materials they would like converted to accessible format
 - Type of accessible format they are requesting

Forward the consumer's information along with copies of the document(s) they are requesting (preferably in electronic format) to the Commission's Section 504 Officer⁷³ or the Consumer & Governmental Affairs Bureau at fcc504@fcc.gov, 202-418-0530 (voice), or 202-418-0432 (tty).

⁷³ For specific contact names, phone numbers, and e-mail addresses, see page 48 of this *Handbook*.





5. AUDIO-VISUAL MEDIA PRODUCED OR OWNED BY THE COMMISSION

Video formats (Videotape, CD, DVD, etc.)

Captioning

- Video media owned or produced by the Commission that is intended for use by either staff or the public must be captioned. The captioning may be either open or closed.
- When video is offered for sale with captions, the Commission must purchase the captioned version.
- For items that are not available for purchase with captions, or for items given to the Commission without captions, the Commission must assure that captioning will be added at the earliest opportunity.
- Comments for the record on video that are accompanied by a transcript need not be captioned.

Video description

- Video description is encouraged for visual media held or produced by the Commission and will be provided upon request. Retention and maintenance of video described versions of recordings should parallel that of non-video described versions.

Audio recordings

Audio recordings that are owned by the Commission and that are intended for use by either staff or the public must have written transcripts available upon request. Transcripts may be produced when requested and need not be prepared in advance. Once produced, however, the retention and maintenance of transcripts should parallel that of the audio recording.

To discuss your media options...

Contact the Commission's Section 504 Officer⁷⁴ or the Consumer & Governmental Affairs Bureau at fcc504@fcc.gov, 202-418-0530 (voice), or 202-418-0432 (tty).

⁷⁴ For specific contact names, phone numbers, and e-mail addresses, see page 48 of this *Handbook*.





6. TRAINING

FCC training

All FCC sponsored training must be accessible to people with disabilities. Training announcements should include an accessibility statement.

Model statement:

Reasonable Accommodations

Reasonable accommodations for people with disabilities are available upon request. Include a description of the accommodation you will need with as much detail as possible. Also include a way we can contact you if we need more information. Please allow at least 5 days advance notice; last minute requests will be accepted, but may be impossible to fill. Send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

FCC University

To request reasonable accommodations for FCC University courses, contact the Chief of the Learning and Development Service Center.⁷⁵

⁷⁵ For specific FCCU contact name, phone number, and e-mail address, see page 49 of this *Handbook*.





TRAINING (continued)

FCC contracted training

Entities contracting with the FCC to provide training are obliged to comply with the requirements of the Rehabilitation Act⁷⁶ and the FCC Section 504 Rules.⁷⁷ It is expected that trainers will:

- Use only captioned video media whenever possible.
- Comply with reasonable accommodation requests from students including, but not limited to:
 - Providing print materials in Braille, large print, or electronic format
 - Reading or describing visual objects, displays, or projections used in class
 - Adjusting the classroom to allow appropriate lines of sight and/or physical access
 - Provide transcripts of any audio media used in connection with the class
 - Distribute any oral quizzes or tests in print format
 - Provide print quizzes or tests in audio format

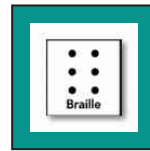
External training

Commission employees participating in external training are expected to complete FCC Training Form 182 (available from FCC University on the FCC intranet). The “Comments” field at the end of the form can be used to note reasonable accommodation needs. It is generally the responsibility of entities offering training to provide reasonable accommodations upon request. It is the employee’s responsibility to make his/her reasonable accommodation needs known.

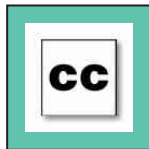
⁷⁶ 29 U.S.C. § 794.

⁷⁷ 47 C.F.R. §§ 1.1801-1.1870.





IV. DISABILITY ACCESS SERVICES





1. REASONABLE ACCOMMODATION / DISABILITY INFORMATION REQUESTS

If you receive a request for reasonable accommodations...

Requests for accommodation services for individuals with disabilities (for FCC programs and activities) should **IMMEDIATELY be forwarded to the Section 504 Officer Helen.Chang@fcc.gov, 202-418-0424 (202-418-0432, tty)**. Be sure to provide the requestor's contact information (name, telephone number, and/or e-mail address) as well as a description of the specific accommodation requested.

The Commission's general point of contact for reasonable accommodation requests is:

E-mail: FCC504@fcc.gov

Phone: 202-418-0530

TTY: 202-418-0432

If you receive a request for disability-related information...

Specific points of contact are as follows:

Information about Reasonable Accommodations:	Contact:
Accessible Format Braille / Large Print / Electronic Files / Audio Format Transcription of documents submitted in accessible format into print	Helen Chang, Section 504 Officer Consumer & Governmental Affairs Bureau 202-418-0424 / 202-418-0432 tty Helen.Chang@fcc.gov
Captioning Assistive Listening Devices (ALDs)	Daniel Oliver, Audio Visual Production Manager Office of Media Relations 202-418-0460 Dann.Oliver@fcc.gov
Reasonable Accommodations Sign Language Interpreters CART (Communication Access Realtime Translation) Physical Access Transcription of sign language submitted in video format into English	Helen Chang, Section 504 Officer Consumer & Governmental Affairs Bureau 202-418-0424 / 202-418-0432 tty Helen.Chang@fcc.gov





Section 504 Handbook



REASONABLE ACCOMMODATION / DISABILITY INFORMATION REQUESTS (continued)

Information About Disability Issues:	Contact:
Disability Regulations / Legal Issues	Thomas Chandler, Chief, Disability Rights Office Consumer & Governmental Affairs Bureau 202-418-1475 / 202-418-0597 tty Thomas.Chander@fcc.gov
Section 501 Issues Workplace accommodations for FCC staff who have temporary or permanent disabilities	June Taylor, Director Office of Workplace Diversity 202-418-7589 June.Taylor@fcc.gov
Section 504 Issues Reasonable accommodations for people with disabilities Information about disabilities	Helen Chang, Section 504 Officer Consumer & Governmental Affairs Bureau 202-418-0424 / 202-418-0432 tty Helen.Chang@fcc.gov
Section 508 Issues Access to electronic data, resources, and equipment	Rosalind Singleton, Section 508 Coordinator Office of Managing Director 202-418-2850 Rosalind.Singleton@fcc.gov
Security Issues	Eric Botker, Manager Security Operations Center 202-418-7884 • Eric.Botker@fcc.gov (when sending e-mail, please cc: Mary Harmon, Mary.Harmon@fcc.gov and Richard Blackmon, Richard.Blackmon@fcc.gov)
FCC University	Jerry Liebes, Chief Learning and Development Service Center Office of Managing Director 202-418-1582 Jerry.Liebes@fcc.gov
Other Disability Issues	Helen Chang, Section 504 Officer Consumer & Governmental Affairs Bureau 202-418-0424 / 202-418-0432 tty Helen.Chang@fcc.gov





2. FCC504@FCC.GOV

Purpose

FCC504@FCC.GOV is the e-mail address used for requesting disability-related accommodations.

Who checks this mailbox?

Responsibility for checking the mailbox is as follows:

Primary: Section 504 Officer

Secondary: Telecommunications Accessibility Specialist (Interpreter, Disability Rights Office)

Tertiary: Telecommunications Accessibility Specialist (Disability Rights Office)





3. TTY ACCESS

TTY was originally an acronym for TeleTYpewriter. Today, these devices are sometimes also called TDDs (Telecommunications Devices for the Deaf) or TTs (Text Telephones), though the preferred term is still TTY. TTYs include a keyboard, text display, and sometimes a printer. TTYs allow individuals to make and receive telephone calls in realtime using typed, 2-way communication.

Distribution of TTYs within the Commission – Minimum standards

- Equip each Bureau/Division within the Commission with a working TTY and staff trained and available to answer calls.
- Program TTY answering machines with messages similar to those used on voice mail systems.
- Check TTYs regularly for messages and generate responses promptly. Designate specific individuals with this task and appoint appropriate back-ups.
- Monitor TTY answering machines as frequently as voice mail systems are checked.

TTY Telephone numbers

- When contact telephone numbers for the FCC are disseminated, both voice and TTY telephone numbers should be included.
- If an individual, branch, or office designated as an FCC point of contact does not have a TTY number, use the TTY number associated with the contact's Bureau/Division. **DO NOT** use the general 1-800-TELL-FCC TTY number.⁷⁸

TTY Assistance

- For technical assistance, contact:
CRC Help Desk, 202-418-1200 (press 2), 202-418-0124 tty, crchelp@fcc.gov
- For help in understanding/translating messages received via TTY,⁷⁹ contact the Commission's Section 504 Officer.⁸⁰

⁷⁸ When consumers are given contact numbers that are more specific than the general 1-888-CALL-FCC, comparably specific contact numbers must also be accessible to consumers who are deaf or hard of hearing.

⁷⁹ Staff may notice that some messages received via TTY are written in non-standard English. This is because English is not a first language for many people who are deaf.

⁸⁰ For specific contact names, phone numbers, and e-mail addresses, see page 48 of this *Handbook*.



4. VIDEOPHONES

A Videophone (VP) is a telephone that permits callers to send and receive both audio and video signals.

It is the VP's ability to provide direct visual contact between callers that has made it especially useful for the deaf and hard of hearing communities. Since callers can see each other, deaf and hard of hearing users who prefer to communicate by sign language can do so via telephone and do not need to rely on either text (e.g., TTY) or voice.



VP users can also communicate with standard telephone users by using Video Relay Services (VRS).⁸¹

The FCC has a public videophone in the Portals II building. The VP is located on the TW level near the Library, opposite room TW-C417.

⁸¹ See page 55 of this *Handbook* for more information on VRS.





5. TELECOMMUNICATIONS RELAY SERVICE (TRS)⁸²

TRS service (also called Relay or Relay Service) is mandated by Title IV of the Americans with Disabilities Act (ADA)⁸³ and allows people who are deaf, hard of hearing, or who have speech disabilities to use the telephone. TRS service is available 24 hours a day.

To use TRS services via the telephone network,⁸⁴ dial 711 anywhere in the United States.⁸⁵ The call will be connected to an operator (also called a Communications Assistant or CA). The Relay Service will ask for the destination phone number. Once this information has been provided, the call will be placed. When the connection is completed, the CA will relay information between the caller and the call recipient. TRS calls can be of several types:

TTY Calls

TTY users can contact the Relay Center to make calls to telephones connected to the public telephone network. Likewise, callers who use standard telephones can contact the Relay Center to make calls to TTY users. When using the Relay, the TTY user types a message to the CA who then reads it to the person using a standard telephone. When the person using a standard telephone responds, the CA types the message to the TTY user. Both TTY users and standard telephone users can initiate and receive TTY Relay calls.

Voice Carry Over (VCO)

VCO allows callers who can speak intelligibly but who cannot hear conversations on the telephone (for example, people who are hard of hearing), to speak directly with a person using a standard telephone on the other end of the line. The CA types the standard telephone user's comments back to the VCO user who reads the text display from a TTY or specially equipped telephone. Both VCO users and standard telephone users can initiate and receive VCO calls.

⁸² The Federal government maintains a separate relay service called the Federal Relay Service (FedRelay). For more information, see the Federal Relay Service website: http://www.gsa.gov/Portal/gsa/ep/contentView.do?contentType=GSA_OVERVIEW&contentId=10360&noC=T (visited 7/9/08).

⁸³ 47 U.S.C. § 225; Implementing Regulations: 47 C.F.R. § 64.601 *et seq.* (Title IV, FCC).

⁸⁴ 711 cannot be used to access IP Relay, IP Captioned Telephone, or VRS.

⁸⁵ When calling from FCC Offices in Washington, DC, dial 9 to get an outside line, then dial 711.





TELECOMMUNICATIONS RELAY SERVICE (TRS) (continued)

Hearing Carry Over (HCO)

HCO allows people who can hear but who cannot speak clearly (for example, people who have had severe strokes) to hear conversations via a standard telephone while using a TTY to type their comments. HCO users type their comments to the CA who reads them to the person using a standard telephone on the other end of the line. The standard telephone user then speaks directly to the HCO user. Both HCO users and standard telephone users can initiate and receive HCO calls.

Speech to Speech (STS)

STS services are used by people who have speech disabilities and are neither deaf nor hard of hearing (for example, people who have cerebral palsy). With STS, CAs are trained to understand people who have speech disabilities. The CA listens to the caller with a speech disability and then repeats the message in clear speech to the person on the other end of the line. Both STS users and standard telephone users can initiate and receive STS calls.

Spanish Relay Service

Relay calls using TTY, VCO, HCO, and IP Relay must be provided in Spanish for all interstate calls.⁸⁶ Calls made within states are not required to offer their services in Spanish though many TRS Centers voluntarily do so. At this time, Spanish Relay is not available for STS.

Spanish Relay is only required for calls where both parties use Spanish; it is not a translation service. Both Spanish Relay users and standard telephone users can initiate and receive Spanish Relay calls.

IP Relay

IP (Internet Protocol) Relay calls can be made using internet enabled computers or other internet devices. The IP Relay user types a message to the CA who reads it to the person using a standard telephone. When the person using a standard telephone responds, the CA types the message back to the IP Relay user.

To locate a list of IP Relay providers, use a standard internet search engine and search for "IP Relay." To make an IP Relay call, follow the directions on the internet site you select. IP Relay users can initiate IP Relay calls, but the reverse process is more complicated. To make a call from a standard telephone to an IP Relay user, contact the IP relay provider for calling instructions.

⁸⁶ ASL (American Sign Language) to Spanish VRS is also available, but not required. See the entry for "VRS (Video Relay Service)" on page 55 of this *Handbook*.





TELECOMMUNICATIONS RELAY SERVICE (TRS) (continued)

Video Relay Service (VRS)

VRS allows consumers who use sign language to communicate via the telephone system. VRS callers who use American Sign Language (ASL) must have the appropriate video equipment and high speed connectivity, e.g., cable modem, DSL (Digital Subscriber Line), or ISDN (Integrated Services Digital Network). The sign language user signs to a CA who is also a qualified sign language interpreter. The CA interprets the message into spoken English for the standard telephone user who then responds in spoken English. The CA listens to the spoken message and interprets it into sign language for the signing caller.

In addition, ASL users can use VRS to communicate with standard telephone users who speak Spanish. With Spanish VRS, the CA is a qualified sign language interpreter who is also fluent in spoken Spanish. The CA interprets the signed message into spoken Spanish for the standard telephone user. The CA then listens to the spoken Spanish response and interprets it into sign language for the signing caller.

VRS callers can initiate VRS calls, but the reverse process can be more complicated. To make a call from a standard telephone to a VRS user, contact the VRS provider for instructions. To find a list of VRS providers, use a standard internet search engine and search for "Video Relay Service."

Captioned Telephone Service (CTS)

CTS is similar to VCO Service. It is generally used by callers who can speak intelligibly but who cannot hear conversations clearly on the telephone. Such callers use their own voices to speak directly with individuals using standard telephones. However, to fully comprehend the other party's conversation, a captioned telephone user has a special telephone that displays the text of what the other party says.

With captioned telephone service, the CA uses a computer equipped with voice recognition software that has been trained to recognize the CA's speech. The CA then re-voices the other party's conversation to the voice recognition software which translates it into text. Unlike VCO, this process requires no typing, thus CTS users experience very little lag time. CTS calls can proceed at speeds closely matching standard spoken conversations. Both CTS users and standard telephone users can initiate and receive captioned telephone calls.





TELECOMMUNICATIONS RELAY SERVICE (TRS) (continued)

IP Captioned Telephone Service (IP CTS)

IP (Internet Protocol) CTS, like standard CTS, is generally used by callers who can speak intelligibly but who cannot hear conversations clearly on the telephone. Such callers use their own voices to speak directly with individuals using standard telephones, but rely on seeing the text of the other party's remarks to fully comprehend the conversation.

IP CTS callers do not use the special stand-alone captioned telephone associated with standard CTS. IP CTS consumers usually place a call using a standard telephone connected to the public telephone network. At the same time, a computer or other internet device is used to contact the CA via the internet. The rest of the process is the same as for CTS. The CA uses a computer equipped with voice recognition software that has been trained to recognize the CA's speech. The CA then re-voices the other party's conversation to the voice recognition software which translates it into text. Also, like CTS, no typing is required and there is very little lag time. As a result, calls can proceed at speeds closely matching standard spoken conversation.

IP CTS callers can also take advantage of a computer's capability to vary the size, font, and color of the text displayed. This can be particularly valuable to callers who have visual disabilities. Both IP CTS users and standard telephone users can initiate and receive IP CTS calls.





6. DOCUMENTS SUBMITTED IN ALTERNATE FORMATS

Where should they be sent?

Documents that are submitted in alternate formats; i.e., video recording, audio recording, Braille, electronic documents, and the like, should be forwarded immediately to the Commission's Section 504 Officer⁸⁷ or the Consumer & Governmental Affairs Bureau at fcc504@fcc.gov, 202-418-0530 (voice), or 202-418-0432 (tty).

⁸⁷ For specific contact names, phone numbers, and e-mail addresses, see page 48 of this *Handbook*.





7. CREATING TRANSCRIPTS FROM AUDIO RECORDINGS

Why transcribe audio recordings?

Transcription of audio recordings into other formats may be necessary to allow access to the information contained in the recording. Situations that may require such transcription include, but are not limited to, the following:

- Blind consumers who do not know Braille and who do not type or use computers may make submissions to the Commission in audio format. These must be transcribed into written form in order to be placed in the record. (The Commission's rules concerning non-discrimination on the basis of disability in the Commission's programs and activities⁸⁸ state that complaints may be submitted in "audio, Braille, electronic, and/or video format."⁸⁹)
- FCC staff or members of the public who are deaf may need written transcripts of audio recordings in order to benefit from the recording's content.
- FCC staff or members of the public who are deaf-blind may need to have audio recordings transcribed into Braille in order to benefit from the recording's content.

Who coordinates the transcription process?

The Section 504 Officer⁹⁰ is the coordinator and contact person for transcription of audio recordings.

⁸⁸ 47 C.F.R. §§ 1.1801-1.1870.

⁸⁹ 47 C.F.R. § 1.1803.

⁹⁰ For specific contact names, phone numbers, and e-mail addresses, see page 48 of this *Handbook*.





8. CREATING WRITTEN TRANSCRIPTS FROM BRAILLE

Why transcribe Braille?

The Commission rules concerning non-discrimination on the basis of disability in the Commission's programs and activities⁹¹ state that complaints may be submitted in "audio, Braille, electronic, and/or video format."⁹² For submissions in Braille, transcription is necessary to allow access for people who cannot read Braille.

Who coordinates the transcription process?

The Section 504 Officer⁹³ is the coordinator and contact person for transcription of Braille.

What types of Braille are accepted for transcription?

English Braille, Grades 1 and 2.⁹⁴

Who should create the transcripts?

Braille transcripts should be created by certified Braille transcribers.⁹⁵

⁹¹ 47 C.F.R. §§ 1.1801-1.1870.

⁹² 47 C.F.R. § 1.1803.

⁹³ For specific contact names, phone numbers, and e-mail addresses, see page 48 of this *Handbook*.

⁹⁴ Send ALL Braille documents to the Section 504 Officer who will determine if the form of Braille used can be transcribed.

⁹⁵ Individuals may become certified Braille transcribers by successfully completing the Library of Congress' certification program. For more information about the Library of Congress Braille Certification Program, contact the National Library for the Blind and Physically Handicapped, Braille Development Section, <http://www.loc.gov/nls/bds.html> (visited 3/4/08).





9. CREATING TRANSCRIPTS FROM SIGN LANGUAGE VIDEO RECORDINGS

Why transcribe sign language video recordings?

The Commission rules concerning non-discrimination on the basis of disability in the Commission's programs and activities⁹⁶ state that complaints may be submitted in "audio, Braille, electronic, and/or video format."⁹⁷ For submissions that take the form of American Sign Language recorded in video format, a translation and transcription into written English is necessary to allow access for people who do not understand American Sign Language.

Who coordinates the translation / transcription process?

The Section 504 Officer⁹⁸ is the contact person and coordinator for sign language translation / transcription.

What visual presentations will be accepted for translation?

American Sign Language (ASL) and its cognates will be accepted for translation.⁹⁹ The Commission will not attempt to transcribe foreign sign languages, International Sign, and other visual, gestural modes of presentation.

Who should create the transcripts?

Translation of ASL to English should be handled by qualified individuals, preferably fully certified sign language interpreters.¹⁰⁰ When possible, consultation with qualified Deaf sign language users is highly desirable.

⁹⁶ 47 C.F.R. §§ 1.1801-1.1870.

⁹⁷ 47 C.F.R. § 1.1803.

⁹⁸ For specific contact names, phone numbers, and e-mail addresses, see page 48 of this *Handbook*.

⁹⁹ Throughout this document, the term American Sign Language or ASL should be understood to include all ASL cognates that are generally recognized in the United States.

¹⁰⁰ "Fully certified sign language interpreters" is intended to mean interpreters holding the Registry of Interpreters for the Deaf (RID) Certificate of Interpretation (CI), Certificate of Transliteration (CT), Comprehensive Skills Certificate (CSC or MCSC); the National Association of the Deaf (NAD) Level IV or V Certification; or the National Interpreter Certification (NIC, NIC Advanced, or NIC Master).





10. DISABILITY TERMINOLOGY

When writing or talking about disabilities, use “**people first**” terminology whenever possible.

Use: People with disabilities
Individual with autism
Child with diabetes
Student with mental retardation
Consumer with mental illness
Person with AIDS / Person living with AIDS

Avoid: Group labels such as:
The autistic
The deaf and dumb
The retarded
The crippled

Handicap vs. Disability – When referring to individuals with disabilities, use “disability” rather than “handicap.” Many in the disability community see “Handicap” as a term evoking images of people begging “cap-in-hand.”

Use: Disability

Avoid: Handicap

Wheelchairs – Many wheelchair users comment that rather than being confining, their chairs allow them freedom of movement.

Use: Person who uses a wheelchair
Wheelchair user

Avoid: Wheelchairbound
Confined to a wheelchair





DISABILITY TERMINOLOGY (continued)

Hearing impaired vs. deaf / hard of hearing – The term, “hearing impaired,” is often used in official documents to refer to people who are deaf or hard of hearing. While it is not considered insulting, *per se*, many in the deaf and hard of hearing community strongly prefer the terms “deaf” or “hard of hearing.” To many, the term “hearing impaired” implies that individuals with hearing loss are somehow “broken” and in need of repair.

Use: Deaf
Hard of hearing

Avoid: Deaf-Mute
Deaf and Dumb

Vision loss – When referring to people with vision loss:

Use: People who are blind
People with low vision
People with visual impairments
People with visual disabilities

Deaf-blind, Deaf blind, Deafblind, or DeafBlind

There is no consensus on the proper spelling of the term, deaf-blind. It can be seen in print with or without a hyphen or rendered as one compound word with varying capitalization.

The American Association of the Deaf-Blind (AADB) includes a hyphen between the words “Deaf” and “Blind” as does the Helen Keller National Center for Deaf-Blind Youths & Adults (HKNC).

However, Deafblind International (DbI), a world association promoting services for people who are deafblind, as well as Deafblind UK, a service and support organization for people who are deafblind in the UK, uses the single compound term, deafblind.





11. SIGN LANGUAGE INTERPRETERS

When using an interpreter...

- Speak clearly in a normal tone of voice and at a natural pace; do not exaggerate lip movements (if the person who is deaf or hard of hearing has speechreading skills, exaggerated mouth movements will distort rather than enhance understanding).
- Make sure there is adequate lighting. Avoid lighting that places shadows on the interpreter or that makes it difficult to see the interpreter's hands and face – for example, do not use a window or other bright/glaring light as a backdrop for the interpreter. Instead, try to direct the light onto the interpreter's face and hands so that they can be clearly seen.
- If possible, position the interpreter so that the person who is deaf or hard of hearing can see both the interpreter and the speaker.
- If speakers during your event are likely to use acronyms, jargon, or vocabulary peculiar to your field, it is helpful to provide the interpreter with a list of such terms and their definitions.
- Speak directly to the person who is deaf or hard of hearing. Avoid asking the interpreter to "tell him" or "ask her."
- Maintain eye contact with the person who is deaf or hard of hearing, not with the interpreter. It may help to remind yourself that your conversation is with the person who is deaf or hard of hearing, not with the interpreter. This may seem difficult at first because you will hear the interpreter's voice and will see the person who is deaf or hard of hearing shifting his gaze between you and the interpreter. Keep in mind that the person who is deaf or hard of hearing must look at the interpreter in order to understand what you are saying.
- Realize that the interpreter is speaking for the person who is deaf or hard of hearing. When the interpreter says, "I" or "me," she is speaking as the person who is deaf or hard of hearing, not as herself.
- Do not attempt to have private conversations with a working interpreter. It is the job of the interpreter to convey everything that is said or heard, including your efforts at engaging her attention.

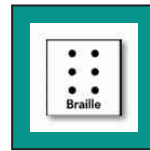




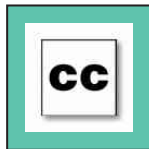
SIGN LANGUAGE INTERPRETERS-- When using an interpreter (continued)

- In large gatherings where microphones are used, make sure that the interpreters providing sign to voice interpretation have microphones and are placed with a clear line of sight to the speaker who is deaf or hard of hearing. Allow time before the start of the presentation for the interpreters and the speaker to meet one another and arrange the details of the interpretation process.
- Situations requiring one or more hours of interpreting may call for more than one interpreter. A team of two interpreters increases accuracy and lessens the likelihood of injury from the repetitive motions required by interpreting. When interpreters work as a team, they will generally switch roles every twenty to thirty minutes.
- If you are in doubt as to the best arrangements for your situation, ask the interpreters and the people who are deaf and hard of hearing. They are the experts on what will work best for them.





V. ADDITIONAL RESOURCES





1. DISABILITY RIGHTS LAWS

Americans with Disabilities Act of 1990

PL 101-336, July 26, 1990

104 Stat. 327

42 U.S.C. §§ 12101 et seq.

Implementing Regulations:

29 CFR Parts 1630, 1602 (Title I, EEOC)

28 CFR Part 35 (Title II, Department of Justice)

49 CFR Parts 27, 37, 38 (Title II, III, Department of Transportation)

28 CFR Part 36 (Title III, Department of Justice)

47 CFR §§ 64.601 et seq. (Title IV, FCC)

Architectural Barriers Act of 1968

PL 90-480, August 12, 1968

82 Stat. 718

42 U.S.C. §§ 4151 et seq.

Implementing Regulation:

41 CFR Subpart 101-19.6

Individuals with Disabilities Education Act

20 U.S.C. §§ 1400 et seq.

Implementing Regulation:

34 CFR Part 300

Rehabilitation Act of 1973

PL 93-112, September 26, 1973

87 Stat. 355

Rehabilitation Act of 1973, as amended [Workforce Investment Act of 1998]

PL 105-220, August 7, 1998

112 Stat. 936

29 U.S.C. § 701-797

Section 501

29 U.S.C. § 791

Implementing Regulation:

29 CFR § 1614.203





DISABILITY RIGHTS LAWS (continued)

Section 503

29 U.S.C. § 793

Implementing Regulation:

41 CFR Part 60-741

Section 504

29 U.S.C. § 794

Section 508

29 U.S.C. § 794d

Telecommunications Act of 1996

PL 104-104, January 3, 1996

110 Stat. 56

47 U.S.C. §§ 255, 251(a)(2)

U.S. Department of Justice, Civil Rights Division, Disability Rights Section

A Guide to Disability Rights Laws

<http://www.ada.gov/cguide.htm>

2. DISABILITY STATISTICS

U.S. Census Bureau, Disability, Disability Main

<http://www.census.gov/hhes/www/disability/disability.html>

3. DISABILITY ETIQUETTE

American Friends Service Committee, Affirmative Action webpage

<http://www.afsc.org/jobs/etiquete.htm>

4. CART (Communication Access Realtime Translation)

National Court Reporters Association, *CART Provider's Manual*

<http://cart.ncraonline.org/Providers/Manual/default.htm>





5. CAPTIONING

Media Access Group at WGBH, Caption Services, “Captioning FAQ”

<http://main.wgbh.org/wgbh/pages/mag/services/captioning/faq/caption-faq-proc.html>

6. BRAILLE

American Foundation for the Blind

<http://www.afb.org/Section.asp?SectionID=6&TopicID=199>

7. VIDEO DESCRIPTION

Video description is a verbal description of the scenes and actions displayed in a television program or movie. It allows people who are unable to see the images on television or in movies to understand what is happening on the screen. In most cases, video descriptions are inserted into pauses in the dialog or narration.

For in-person events such as plays or museum tours, this service is generally called audio description.

Video Description and the FCC

There are no Commission rules requiring video description currently in effect.

An FCC Report & Order (FCC 00-258, MM Docket No. 99-339) requiring video description for television programming was adopted on July 21, 2000 and released on August 7, 2000. Implementation of the rules became effective on April 1, 2002.

The Commission’s video description rules were struck down by the Court of Appeals for the D.C. Circuit.¹⁰¹

A history of the FCC’s video description rules can be found at:

<http://www.fcc.gov/cgb/dro/video-description.html>.

¹⁰¹ *Motion Picture Ass’n of America, Inc. v. FCC*, 309 F.3d 796 (D.C. Cir. 2002).





8. DISABILITY ACCESS SYMBOLS¹⁰²



Access to Low Vision



Accessibility



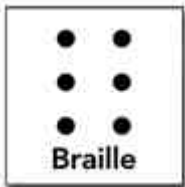
Accessible Print



Assistive Listening Systems



Audio Description (Video Description)



Braille

¹⁰² Symbols may be downloaded from <http://www.gag.org/resources/das.php> (visited 6/17/08).



DISABILITY ACCESS SYMBOLS (continued)



Closed Captioning



Sign Language Interpretation



TTY (Teletypewriter)



Volume Control Telephone



Closed Captioning

This is a registered trademark identifying programs captioned by the National Captioning Institute¹⁰³



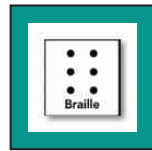
Web Access¹⁰⁴

The symbol should always be used with the following alt-text tag: Web Access Symbol (for people with disabilities).

¹⁰³ <http://www.ncicap.org/ncilogo.asp> (visited 8/18/08)

¹⁰⁴ <http://main.wgbh.org/wgbh/hire/symbols.html> (visited 3/4/08).





APPENDIX





APPENDIX

Amendment of Part 1, Subpart N of the Commission's Rules Concerning Non-Discrimination on the Basis of Disability in the Commission's Programs and Activities

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
Amendment of Part 1, Subpart N of the Commission's)
Rules Concerning Non-Discrimination on the Basis of)
Disability in)
the Commission's Programs and Activities)

ORDER

Adopted: March 4, 2003

Released: March 12, 2003

By the Commission: Chairman Powell, Commissioners Copps and Adelstein issuing separate statements.

1. As originally enacted, Section 504 of the Rehabilitation Act of 1973 prohibited discrimination against individuals with disabilities under any "program or activity" receiving Federal financial assistance.¹⁰⁵ In 1978, Congress amended Section 504 to cover any program or activity conducted by any Executive Branch agency or the United States Postal Service. The 1978 amendment required covered agencies to promulgate regulations enforcing Section 504's prohibitions. On April 15, 1987, the Commission released a *Report and Order* that adopted with minor modifications the Department of Justice's prototype regulations for implementing and enforcing Section 504.¹⁰⁶ The *Report*

¹⁰⁵ The Rehabilitation Act of 1973, Pub.L. 93-112, 87 Stat. 394, 29 U.S.C. 794, as amended by the Rehabilitation Act Amendments of 1974, Pub.L. 93-516, 88 Stat. 1617, and the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978, Pub.L. 95-602, 92 Stat. 2955, and the Rehabilitation Act Amendments of 1986, § 103(d), Pub.L. 99-506, 100 Stat. 1810, creates specific causes of action for persons who are aggrieved by discriminatory treatment as defined in the Act.

¹⁰⁶ *Amendment of Part 1 of the Commission's Rules to Implement Section 504 of the Rehabilitation Act of 1973, as amended*, 29 U.S.C. § 794, Gen. Docket No. 84-533, *Report and Order*, 2 FCC Rcd 2199 (1987)(*Report and Order*).





and Order noted that the legislative history of the 1978 amendments indicated that Congress intended the amendments to apply to all federal agencies, including independent regulatory agencies such as this Commission.¹⁰⁷ Except for adding consumer complaint procedures, the Commission has not updated its Section 504 regulations since 1987.

2. By this Order, we amend Part 1, Subpart N of our rules, entitled “Enforcement of Non-discrimination on the Basis of Handicap in Programs or Activities Conducted by the Federal Communications Commission,” 47 C.F.R. 1.1801 *et seq.*, to update the Commission’s Section 504 regulations. Specifically, we amend Subpart N throughout to replace the terms “handicap,” “individual with a handicap,” and “individuals with handicaps” with the terms “disability,” “individual with a disability,” and “individuals with disabilities,” respectively, in keeping with the most current statutory terms used in the Americans with Disabilities Act.¹⁰⁸ We amend sections 1.1803 and 1.1810 to specify filing and signature formats for persons with disabilities who wish to file using alternative media. We add a new section 1.1805 to our rules to provide for the Federal Communications Commission Section 504 Programs and Activities Accessibility Handbook (Section 504 Handbook). The Section 504 Handbook is intended as a guide to implement the Commission’s responsibilities under Section 504 of the Rehabilitation Act.¹⁰⁹ This handbook describes the methods and procedures for accommodation available at the Commission to achieve a consistent and complete accommodations policy. It is for internal staff use and public information only, and is not intended to create any rights, responsibilities, or independent causes of action against the Federal Government.

3. In addition, we amend section 1.1803 to define the term “programs or activities” as that term is used in Subpart N. We amend section 1.1810 to require that the self-evaluation process be held every three years, during which time we will seek public comment on the accessibility of our programs and activities as required by Section 504 of the Rehabilitation Act of 1973. Finally, we amend section 1.1849 to add a procedure for individuals who are requesting accessibility to the Commission’s programs and facilities. We note that requests for accommodation requiring the assistance of other persons (e.g., an American Sign Language interpreter) can best be provided if the request is made five business days before a Commission event.¹¹⁰

4. The modifications to Part 1, Subpart N undertaken by this Order are rules that pertain to agency organization, procedure and practice. Consequently, the notice and comment provisions of the Administrative Procedure Act are inapplicable.¹¹¹ The procedural rule modifications will be effective immediately upon publication in the Federal Register.¹¹²

¹⁰⁷ See *Report and Order* at 2199, ¶ 2.

¹⁰⁸ 42 U.S.C. §§ 12101 *et seq.*

¹⁰⁹ The Rehabilitation Act of 1973, Pub.L. 93-112, 87 Stat. 394, 29 U.S.C. 794, as amended by the Rehabilitation Act Amendments of 1974, Pub.L. 93-516, 88 Stat. 1617, and the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978, Pub.L. 95-602, 92 Stat. 2955, and the Rehabilitation Act Amendments of 1986, sec. 103(d), Pub.L. 99-506, 100 Stat. 1810, creates specific causes of action for persons who are aggrieved by discriminatory treatment as defined in the Act.

¹¹⁰ Even if the request for accommodation is made less than five days before the relevant event, the Commission will make every effort to secure the services of a person to provide the requested assistance.

¹¹¹ 5 U.S.C. § 553(b)(3)(A).

¹¹² See 5 U.S.C. § 553(d).





Section 504 Handbook



5. Accordingly, IT IS ORDERED that, pursuant to Section 5 of the Communications Act of 1934, as amended, 47 U.S.C. § 155, Part 1, Subpart N of the Commission's rules IS AMENDED as set forth in the attached Appendix, effective upon publication in the Federal Register.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary





APPENDIX A

FINAL RULE AMENDMENTS

Part 1 of Title 47 of the Code of Federal Regulations is amended as follows:

1) The authority citation for Part 1 continues to read as follows:

AUTHORITY: 47 U.S.C. 151, 154(i), 154(j), 155, 225, 303(r), 309 and 325(e), and 29 USC 794.

2) Part 1 Subpart N is amended to read as follows:

SUBPART N--ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF DISABILITY IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE FEDERAL COMMUNICATIONS COMMISSION

§ 1.1801 Purpose.

The purpose of this part is to effectuate section 119 of the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978, which amended section 504 of the Rehabilitation Act of 1973 (section 504) to prohibit discrimination on the basis of disability in programs or activities conducted by Executive agencies or the United States Postal Service.

§ 1.1802 Applications.

This part applies to all programs or activities conducted by the Federal Communications Commission. The programs or activities of entities that are licensed or certified by the Federal Communications Commission are not covered by these regulations.

§ 1.1803 Definitions.

For purposes of this part, the term--

“Auxiliary aids” means services or devices that enable persons with impaired sensory, manual, or speaking skills to have an equal opportunity to participate in, and enjoy the benefits of, programs or activities conducted by the Commission. For example, auxiliary aids useful for persons with impaired vision include readers, Brailled materials, audio recordings, and other similar services and devices. Auxiliary aids useful for persons with impaired hearing include telephone handset amplifiers, telephones compatible with hearing aids, telecommunication devices for deaf persons (TTY/TDDs), interpreters, Computer-aided realtime transcription (CART), captioning, notetakers, written materials, and other similar services and devices.

“Commission” means Federal Communications Commission.





“Complete complaint” means a written statement, or a complaint in audio, Braille, electronic, and/or video format, that contains the complainant's name and address and describes the Commission's alleged discriminatory action in sufficient detail to inform the Commission of the nature and date of the alleged violation of section 504. It shall be signed by the complainant or by someone authorized to do so on his or her behalf. The signature of the complainant, or signature of someone authorized by the complainant to do so on his or her behalf, shall be provided on print complaints. Complaints in audio, Braille, electronic, and/or video formats shall contain an affirmative identity statement of the individual, which for this purpose shall be considered to be functionally equivalent to a complainant's signature. Complaints filed on behalf of classes or third parties shall describe or identify (by name, if possible) the alleged victims of discrimination.

“Facility” means all or any portion of buildings, structures, equipment, roads, walks, parking lots, or other real or personal property.

“General Counsel” means the General Counsel of the Federal Communications Commission.

“Individual with a disability” means any individual who has a physical or mental impairment that substantially limits one or more major life activities, has a record of such an impairment, or is regarded as having such an impairment. As used in this definition, the phrase:

(1) “Physical or mental impairment” includes, but is not limited to, --

(i) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: Neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin; and endocrine;

(ii) Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities;

(iii) Diseases and conditions such as orthopedic, visual, speech, and hearing impairments; cerebral palsy; epilepsy; muscular dystrophy; multiple sclerosis; cancer; heart disease; diabetes; mental retardation; emotional illness; and drug addiction and alcoholism.

(2) “Major life activities” include functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

(3) “Has a record of such an impairment” means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

(4) “Is regarded as having an impairment” means--

(i) Has a physical or mental impairment that does not substantially limit major life activities but is treated by the Commission as constituting such a limitation;

(ii) Has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or



(iii) Has none of the impairments defined in paragraph (1) of this definition but is treated by the Commission as having such impairment.

“Managing Director” means the individual delegated authority as described in 47 C.F.R. § 0.11.

“Programs or Activities” mean any activity of the Commission permitted or required by its enabling statutes, including but not limited to any licensing or certification program, proceeding, investigation, hearing, meeting, board or committee.

“Qualified individual with a disability” means--

(1) With respect to any Commission program or activity under which an individual is required to perform services or to achieve a level of accomplishment, an individual with a disability who, with or without reasonable modification to rules, policies, or practices or the provision of auxiliary aids, meets the essential eligibility requirements for participation in the program or activity and can achieve the purpose of the program or activity; or

(2) With respect to any other program or activity, an individual with a disability who, with or without reasonable modification to rules, policies, or practices or the provision of auxiliary aids, meets the essential eligibility requirements for participation in, or receipt of benefits from, that program or activity; or

(3) The definition of that term as defined for purposes of employment in 29 C.F.R. § 1630.2(m), which is made applicable to this part by § 1.1840.

“Section 504” means section 504 of the Rehabilitation Act of 1973, Pub.L. 93-112, 87 Stat. 394, 29 U.S.C. 794, as amended by the Rehabilitation Act Amendments of 1974, Pub.L. 93-516, 88 Stat. 1617, and the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978, Pub.L. 95-602, 92 Stat. 2955, and the Rehabilitation Act Amendments of 1986, sec. 103(d), Pub.L. 99-506, 100 Stat. 1810. As used in this part, section 504 applies only to programs or activities conducted by Executive agencies and not to federally assisted programs.

“Section 504 Officer” is the Commission employee charged with overseeing the Commission’s section 504 programs and activities.

§ 1.1805 Federal Communications Commission Section 504 Programs and Activities Accessibility Handbook.

The Consumer & Governmental Affairs Bureau shall publish a “Federal Communications Commission Section 504 Programs and Activities Accessibility Handbook” (“Section 504 Handbook”) for Commission staff, and shall update the Section 504 Handbook as necessary and at least every three years. The Section 504 Handbook shall be available to the public in hard copy upon request and electronically on the Commission’s Internet website. The Section 504 Handbook shall contain procedures for releasing documents, holding meetings, receiving comments, and for other aspects of Commission programs and activities to achieve accessibility. These procedures will ensure that the Commission presents a consistent and complete accommodation policy pursuant to 29 U.S.C. § 794, as amended. The Section 504 Handbook is for internal staff use and public information only, and is not intended to create any rights, responsibilities, or independent cause of action against the Federal Government.





§ 1.1810 Review of compliance.

(a) The Commission shall, beginning in 2004 and at least every three years thereafter, review its current policies and practices in view of advances in relevant technology and achievability. Based on this review, the Commission shall modify its practices and procedures to ensure that the Commission's programs and activities are fully accessible.

(b) The Commission shall provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the review process by submitting comments. Written comments shall be signed by the commenter or by someone authorized to do so on his or her behalf. The signature of the commenter, or signature of someone authorized by the commenter to do so on his or her behalf, shall be provided on print comments. Comments in audio, Braille, electronic, and/or video formats shall contain an affirmative identity statement of the individual, which for this purpose shall be considered to be functionally equivalent to a commenter's signature.

(c) The Commission shall maintain on file and make available for public inspection for four years following completion of the compliance review --

- (1) A description of areas examined and problems identified;
- (2) All comments and complaints filed regarding the Commission's compliance; and
- (3) A description of any modifications made.

§ 1.1811 Notice.

The Commission shall make available to employees, applicants, participants, beneficiaries, and other interested persons information regarding the regulations set forth in this part, and their applicability to the programs or activities conducted by the Commission. The Commission shall make such information available to such persons in such manner as the Section 504 Officer finds necessary to apprise such persons of the protections against discrimination assured them by section 504.

§ 1.1830 General prohibitions against discrimination.

(a) No qualified individual with a disability shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity conducted by the Commission.

(b) Discriminatory actions prohibited.

(1) The Commission, in providing any aid, benefit, or service, may not, directly or through contractual, licensing, or other arrangements, on the basis of disability--

- (i) Deny a qualified individual with a disability the opportunity to participate in or benefit from the aid, benefit, or service;
- (ii) Afford a qualified individual with a disability an opportunity to participate in or benefit from the aid, benefit, or service that is not equal to that afforded others;





(iii) Provide a qualified individual with a disability with an aid, benefit, or service that is not as effective in affording equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement as that provided to others;

(iv) Provide different or separate aid, benefits, or services to individuals with disabilities or to any class of individuals with disabilities than is provided to others unless such action is necessary to provide qualified individuals with disabilities with aid, benefits, or services that are as effective as those provided to others;

(v) Deny a qualified individual with a disability the opportunity to participate as a member of planning or advisory boards; or

(vi) Otherwise limit a qualified individual with a disability in the enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving the aid, benefit, or service.

(2) The Commission may not deny a qualified individual with a disability the opportunity to participate in any program or activity even where the Commission is also providing equivalent permissibly separate or different programs or activities for persons with disabilities.

(3) The Commission may not, directly or through contractual or other arrangements, utilize criteria or methods of administration--

(i) That have the purpose or effect of subjecting qualified individuals with disabilities to discrimination on the basis of disability; or

(ii) That have the purpose or effect of defeating or substantially impairing accomplishment of the objectives of a program or activity with respect to individuals with disabilities.

(4) The Commission may not, in determining the site or location of a facility, make selections--

(i) That have the purpose or effect of excluding individuals with disabilities from, denying them the benefits of, or otherwise subjecting them to discrimination under any program or activity conducted by the Commission; or

(ii) That have the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of a program or activity with respect to individuals with disabilities.

(5) The Commission, in the selection of procurement contractors, may not use criteria that subject qualified individuals with disabilities to discrimination on the basis of disability.

(6) The Commission may not administer a licensing or certification program in a manner that subjects qualified individuals with disabilities to discrimination on the basis of disability, nor may the Commission establish requirements for the programs or activities of licensees or certified entities that subject qualified individuals with disabilities to discrimination on the basis of



disability. However, the programs or activities of entities that are licensed or certified by the Commission are not, themselves, covered by this part.

(7) The Commission shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the Commission can demonstrate that making the modifications would fundamentally alter the nature of the program, service, or activity.

(c) This part does not prohibit the exclusion of persons without disabilities from the benefits of a program limited by Federal statute or Executive order to individuals with disabilities, or the exclusion of a specific class of individuals with disabilities from a program limited by Federal statute or Executive order to a different class of individuals with disabilities.

(d) The Commission shall administer programs and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities.

§ 1.1840 Employment.

No qualified individual with a disability shall, on the basis of disability, be subjected to discrimination in employment under any program or activity conducted by the Commission. The definitions, requirements and procedures of section 501 of the Rehabilitation Act of 1973, 29 U.S.C. § 791, as established by the Equal Employment Opportunity Commission in 29 C.F.R. Parts 1614 and 1630, as well as the procedures set forth in the Basic Negotiations Agreement Between the Federal Communications Commission and National Treasury Employees Union, as amended, and Subchapter III of the Civil Service Reform Act of 1978, 5 U.S.C. § 7121(d), shall apply to employment in federally conducted programs or activities.

§ 1.1849 Program accessibility: Discrimination prohibited.

(a) Except as otherwise provided in § 1.1850, no qualified individual with a disability shall, because the Commission's facilities are inaccessible to, or unusable, by individuals with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity conducted by the Commission.

(b) Individuals shall request accessibility to the Commission's programs and facilities by contacting the Commission's Section 504 Officer. Such contact may be made in the manner indicated in the FCC Section 504 Handbook. The Commission will make every effort to provide accommodations requiring the assistance of other persons (*e.g.*, American Sign Language interpreters, communication access realtime translation (CART) providers, transcribers, captioners, and readers) if the request is made to the Commission's Section 504 Officer a minimum of five business days in advance of the program. If such requests are made fewer than five business days prior to an event, the Commission will make every effort to secure accommodation services, although it may be less likely that the Commission will be able to secure such services.

§ 1.1850 Program accessibility: Existing facilities.

(a) General. Except as otherwise provided in this paragraph, the Commission shall operate each program or activity so that the program or activity, when viewed in its entirety, is readily accessible to and usable by individuals with disabilities. This paragraph does not—





(1) Necessarily require the Commission to make each of its existing facilities accessible to and usable by individuals with disabilities;

(2) Require the Commission to take any action that it can demonstrate would result in a fundamental alteration in the nature of a program or activity, or in undue financial and administrative burdens. In those circumstances where Commission personnel believe that the proposed action would fundamentally alter the program or activity or would result in undue financial and administrative burdens, the Commission has the burden of proving that compliance with § 1.1850(a) would result in such alteration or burdens. The decision that compliance would result in such alteration or burdens must be made by the Managing Director, in consultation with the Section 504 Officer, after considering all Commission resources available for use in the funding and operation of the conducted program or activity, and must be accompanied by a written statement of the reasons for reaching that conclusion. If an action would result in such an alteration or such burdens, the Commission shall take any other action that would not result in such an alteration or such burdens but would nevertheless ensure that individuals with disabilities receive the benefits and services of the program or activity.

(b) Methods. The Commission may comply with the requirements of this section through such means as the redesign of equipment, reassignment of services to accessible buildings, assignment of aides to beneficiaries, home visits, delivery of services at alternate accessible sites, alteration of existing facilities and construction of new facilities, or any other methods that result in making its programs or activities readily accessible to and usable by individuals with disabilities. The Commission is not required to make structural changes in existing facilities where other methods are effective in achieving compliance with this section. The Commission, in making alterations to existing buildings, shall meet accessibility requirements to the extent compelled by the Architectural Barriers Act of 1968, as amended (42 U.S.C. §§ 4151-4157), and any regulations implementing it. In choosing among available methods for meeting the requirements of this section, the Commission shall give priority to those methods that offer programs and activities to qualified individuals with disabilities in the most integrated setting appropriate.

(c) Time period for compliance. The Commission shall comply with the obligations established under this section within sixty (60) days of the effective date of this subpart, except that where structural changes in facilities are undertaken, such changes shall be made within three (3) years of the effective date of this part.

(d) Transition plan. In the event that structural changes to facilities will be undertaken to achieve program accessibility, the Commission shall develop, within six (6) months of the effective date of this subpart, a transition plan setting forth the steps necessary to complete such changes. The Commission shall provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the transition plan by submitting comments (both oral and written). A copy of the transitional plan shall be made available for public inspection. The plan shall, at a minimum--

(1) Identify physical obstacles in the Commission's facilities that limit the accessibility of its programs or activities to individuals with disabilities;

(2) Describe in detail the methods that will be used to make the facilities accessible;





(3) Specify the schedule for taking the steps necessary to achieve compliance with this section and, if the time period of the transition plan is longer than one (1) year, identify steps that will be taken during each year of the transition period;

(4) Indicate the official responsible for implementation of the plan.

§ 1.1851 Building accessibility: New construction and alterations.

Each building or part of a building that is constructed or altered by, on behalf of, or for the use of the Commission shall be designed, constructed, or altered so as to be readily accessible to and usable by individuals with disabilities. The definitions, requirements and standards of the Architectural Barriers Act, 42 U.S.C. §§ 4151-4157, as established in 41 C.F.R. §§ 101-19.600 to 101-19.607, apply to buildings covered by this section.

§ 1.1870 Compliance procedures.

(a) Except as provided in paragraph (b) of this section, this section applies to all allegations of discrimination on the basis of disability in programs or activities conducted by the Commission.

(b) The Commission shall process complaints alleging violations of section 504 with respect to employment according to the procedures established by the Equal Employment Opportunity Commission in 29 C.F.R. Part 1614 pursuant to section 501 of the Rehabilitation Act of 1973, 29 U.S.C. 791.

(c) Complaints alleging violation of section 504 with respect to the Commission's programs and activities shall be addressed to the Managing Director and filed with the Office of the Secretary, Federal Communications Commission, 445 12th Street, SW., Room TWB- 204, Washington, DC 20554.

(d) Acceptance of complaint.

(1) The Commission shall accept and investigate all complete complaints, as defined in section 1.1803 of this part, for which it has jurisdiction. All such complaints must be filed within one-hundred eighty (180) days of the alleged act of discrimination. The Commission may extend this time period for good cause.

(2) If the Commission receives a complaint that is not complete as defined in section 1.1803 of this part, the complainant will be notified within thirty (30) days of receipt of the incomplete complaint that additional information is needed. If the complainant fails to complete the complaint within thirty (30) days of receipt of this notice, the Commission shall dismiss the complaint without prejudice.

(e) If the Commission receives a complaint over which it does not have jurisdiction, it shall promptly notify the complainant and shall make reasonable efforts to refer the complaint to the appropriate government entity.

(f) The Commission shall notify the Architectural and Transportation Barriers Compliance Board upon receipt of any complaint alleging that a building or facility that is subject to the Architectural Barriers Act of 1968, as amended, 42 U.S.C. §§ 4151-4157, is not readily accessible to and usable by individuals with disabilities.





(g) Within one-hundred eighty (180) days of the receipt of a complete complaint, as defined in section 1.1803 of this part, for which it has jurisdiction, the Commission shall notify the complainant of the results of the investigation in a letter containing--

- (1) Findings of fact and conclusions of law;
- (2) A description of a remedy for each violation found; and
- (3) A notice of the right to appeal.

(h) Appeals of the findings of fact and conclusions of law or remedies must be filed by the complainant within ninety (90) days of receipt from the Commission of the letter required by § 1.1870(g). The Commission may extend this time for good cause.

(i) Timely appeals shall be accepted and processed by the Office of the Secretary, Federal Communications Commission, 445 12th Street, SW., Room TWB- 204, Washington, DC 20554.

(j) The Commission shall notify the complainant of the results of the appeal within sixty (60) days of the receipt of the appeal request. If the Commission determines that it needs additional information from the complainant, and requests such information, the Commission shall have sixty (60) days from the date it receives the additional information to make its determination on the appeal.

(k) The time limits cited in (g) and (j) of this section may be extended with the permission of the General Counsel.

(l) The Commission may delegate its authority for conducting complaint investigations to other federal agencies, except that the authority for making the final determination may not be delegated to another agency.





Section 504 Handbook



APPENDIX B

Federal Communications Commission Section 504 Programs and Activities Accessibility Handbook.





SEPARATE STATEMENT OF CHAIRMAN MICHAEL K. POWELL

Re: *Amendment of Part I, Subpart N of the Commission's Rules Concerning Non-Discrimination on the Basis of Disability in the Commission's Programs and Activities.*

Technology has the power to deliver to Americans with disabilities access that previously was unimaginable. Making access solutions available to the disability community has been a core objective of this Commission – from closed captioning to IP relay. Today's *Order* ensures that a high level of access extends to the Commission as well, so that all Americans have the opportunity to meaningfully participate in the Commission's work.

Since the Commission first promulgated disability accommodation rules in 1987, there have been many changes in disability law, and the “state of the art” in access technology has advanced considerably. Today's *Order* brings the Commission's rules up-to-date with these changes. In addition, adoption of the Accessibility Handbook will ensure that the Commission's policies are consistently applied and that all Commission staff are adequately prepared to deal with accommodation requests. The Order further provides that every three years the Commission will review its accommodation policies, so that we may learn and grow from our experiences, and keep pace with ever-changing technology. Only through constant vigilance can we ensure that individuals with disabilities are obtaining the best possible accommodations and the highest level of access.

The creation of this Accessibility Handbook was a significant undertaking. I applaud the leadership demonstrated by the Consumer & Governmental Affairs Bureau and its Disability Rights Office in making this remarkable and practical resource a reality – and a model for other federal agencies and the private sector. Such efforts further secure the FCC's place as one of the most accessible institutions in government – an achievement for which I am tremendously proud.





SEPARATE STATEMENT OF COMMISSIONER MICHAEL J. COPPS

Re: In the Matter of Amendment of Part I, Subpart N of the Commission's Rules Concerning Non-Discrimination on the Basis of Disability in the Commission's Programs and Activities

I am pleased to support the *Section 504 Order and Handbook*. This update is long overdue, but all the more welcome for that. I am encouraged that we are updating our regulations today and establishing a regular review of these rules to help keep them up-to-date in the future.

The Commission has made great strides over the past several years to improve accessibility. Among other things, the Commission wrote new rules to ensure that communications products and services are accessible to those with disabilities; overhauled and updated our Telecommunications Relay Services (TRS) rules; established and implemented 711 as a nationwide relay number; took action on captioning to ensure that everyone has access to televised information, including most importantly warnings about emergency situations; and allocated spectrum for assistive listening devices.

But we must not rest on these accomplishments; we must build on them. The Commission needs now to look at the important issues of Internet relay, hearing aid compatibility for digital wireless phones, accessibility to digital and interactive television, and implementation of TTY access to E-911 and video description.

My office was fortunate to have an intern with a disability to work with us last summer. The Commission did an outstanding job of providing accommodations for us, but I wonder whether everyone at this agency is aware of the kinds of accommodations the Commission can – and indeed, is required to – provide for our employees with disabilities. This *Handbook* is a good step to help us understand, and to make us a model not only of compliance -- but of leadership. We can do more. I would like to see this *Handbook* be used as a model for the Commission to develop other handbooks to address related issues. The Commission has responsibilities under Sections 501 and 508 of the Rehabilitation Act to provide accommodations to our employees with disabilities, and to ensure that the electronic and information technology that we use, build, buy, and/or lease is accessible to persons with disabilities. A Section 501 Handbook could be a valuable tool for FCC employees, co-workers, and supervisors of employees with disabilities. Likewise, a Section 508 Handbook would assist all of us at the Commission who work with electronic and information technology to learn how to make decisions when procuring technology. It is not only the right thing to do, it is the law.

I want to thank the Disability Rights Office for its leadership on this item, particularly those who spearheaded the *Handbook*. Thank you for your dedication to your jobs, and for helping the Commission to be accessible to members of the public with disabilities.





SEPARATE STATEMENT OF COMMISSIONER JONATHAN S. ADELSTEIN

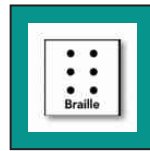
Re: In the Matter of Amendment of Part I, Subpart N of the Commission's Rules Concerning Non-Discrimination on the Basis of Disability in the Commission's Programs and Activities

I would like to commend the Consumer & Governmental Affairs Bureau for its successful efforts in bringing yet another item to the Commission floor. After reading the handbook, I must say that it is both very thorough and informative.

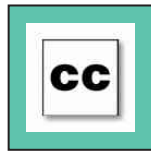
While a staff member in the United States Senate, I worked to help pass the Americans with Disabilities Act and devoted a great amount of attention to the Social Security Disability Insurance program. These types of issues ring very true to me.

We, as a Commission, need to ensure that we have a uniform and comprehensive approach to ensuring accessibility to all Commission events in order to meet the Rehabilitation Act Section 504 requirements. As a federal entity, this is our mandate. I agree that in order to maintain that uniform approach, we need to periodically review the Commission's current policies and practices every three years in order to take into account any relevant technological advances. Again, I want to thank you for your time on this very important issue.





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